# A RELATION OF THE Strange Apparition OF THE Five JESUITS

Lately Executed at *Tyburn* upon the Account of TREASON.

Being a wonderful Token of their *Disquiet*, and some Things considerable referring to their *Guilt*.

Discovered to *Two Gentlemen* of Eminent Credit, upon the Road between *London* and *Acton*, Travelling for *Chippenham* in *Wiltshire*.

Closed up with an Ingenious and Merry Piece of History, concerning

## No Jesuits in Hell

MVSEVM BRITAN NICVM

THE *Appearance* of the Deceased has always been admired, and inquired into by men of the best Learning and Consideration, but especially when the men whose Persons have been represented, have left the World in a dubious, strange or terrible manner, as is plain in the Case in hand. God, it's true, has blest us with a better way of Instruction, than can be communicated to the World by such disputable and uncertain *Shapes*; but yet, when such things are, it becomes us not to slight or scorn, but make the best Improvement we can of them. But first to the *Relation* it self: Upon *Monday* the 30*th.* of *June*, Mr. *Robert Lee*, and Mr. *Thomas Paintwell*, riding upon the Road between *Tyburn* and *Acton*, (intending for a Journey to *Chippenham* in *Wiltshire*) were met by the Appearance of one in a long Gown, at first seeming ly blue, but presently the nearer approach changed it into a perfect red, which calling to one of these Travellers, said, *Lee, Lee, hear me*; who immediately made a stand, being surprized with a great amazement upon his Spirit, for the

Apparition was ſo terrible, that his Courage failed him: while his Companion, who was paſſed on ſome little diſtance before, turning back to ſee for his Fellow-Traveller, diſcovers him ſurrounded with ſomething like a flame of Fire, which looked ſo terrifying to Mr. *Pointwell*, that for ſome few minutes he had not a power of moving either forward or backward; but upon a little recollection, arguing himſelf into Fortitude, he rides up towards this Light, where he finds his Friend Mr. *Eoe* in ſuch a tranſport of Amazement, as not to be able to utter one word: He alſo then ſeeing the ſame Apparition his Friend did, began to enquire of him, what was the matter? To which immediately the Apparition it ſelf return'd ſome Anſwer, which could not by them be underſtood, and turned aſide his changeable Gown, even to the diſcovery of the Body which inhabited it, which then appear'd to be nothing but a flame of Fire. After which aſcended out of the ſame flame, the Appearance of other four men: The firſt in order taken notice of, ſtood cloathed in a ſeeming black Garment, and as to Age (as near as conjecture could draw the concluſion) did appear to be about the 70*th.* year, very Gray-headed, and of a feeble Conſtitution, who breathed out a deep groan, and ſaid, *Hear me, for I am diſquieted, and long to be at reſt; and now the occaſion of my diſquiet is ripened unto a diſcovery:* Which ſaid, this vaniſheth away, and three more come in ſight, all having *ghaſtly* looks, not only reſembling the ſtate of Death ſimply conſidered as referring to the Body, but alſo a more terrible eſtate as referring to the Soul; theſe with one voice cry out, *We (together with the other two that went before) are the five men lately Executed at* Tyburn, *upon the account of Treaſon againſt the King, for conſpiring his Death, and the change of Government: Go ye therefore and acquaint the Living, That as our Life did endeavour to create, ſo our Death has not removed, the Dangers of* England, *but they will accompliſh the deſigned end, unleſs the repentance of the Nation, and conviction and care of thoſe that ſit at the Helm, give a ſpeedy prevention.* Having delivered theſe words with much concernedneſs, they all immediately diſappear'd, and there only remained ſuch a dark Fog, that the two Travellers were not able to ſee each other; and a Voice out of the Cloud delivered it ſelf in this wiſe: *The light of our Life ſeems at preſent to be put out in this viſible World, but who ſhall quench that fire which is kindled among thoſe dark and black Coals, which we helped to pile together under a ſecurity, while we converſed among the Living? for here lies the ſtrange difficulty, a danger ſcarcely to be overcome.* As ſoon as this ſhort Speech was delivered there did a paleneſs appear through the dark Cloud, and after that it became ſo clearly light, that theſe two Travellers ſaw each other, as alſo the perſonated Appearance of thoſe *Five Executed men*, cloathed with pale Garments, who preſently fell into contention about the way and manner how the *Diſcovery* of their *Diſquiet* ſhould be made, whether to thoſe that rejoyced, or thoſe that mourned at their Fall; if to thoſe that rejoyced, then it would confirm the being of a *Popiſh Plot*, ſtrengthen the *Proteſtants* in their ill opinion of the *Romaniſts*, and blemiſh their own Reputation, and make them appear to be what the World ſaid of them, Men of turbulent and obſtinate minds, ſuch as accounted any thing to be juſt and good, that was once owned and projected by them, though never ſo treacherous, vile and baſe; if diſcovered to thoſe that mourned at their Fall, then it would either aggravate their ſorrow into a long debate, what to do with their Principles which were ſo much queſtioned after the dying ſtate, ſo hazardous to Peace and Eaſe in the inviſible World; or elſe it would make them ſuddenly leave their way of Profeſſion, as hateful and to be declined by all thoſe that have any inclination to be at Eaſe and Reſt, when gone out of the Body: Theſe were the apprehen-

ſions

ſions of ſome of them. Others were for haunting the abode of thoſe more Politick men, though of never ſo great a Name and Place, who brought them into danger, and pulled them on when in it, even unto Death, and an obſtinate denial of all their Guilt at the laſt gaſp of Life, only to confirm their own ſafety, or to promote an erroneous belief of the Virtue and Innocence of that way, which is founded upon the unproved Traditions of the moſt groſs ſort of Chriſtians in the World, into which they themſelves were trepann'd by a blinder manner of Education, or long abiding in thoſe Towns or Dominions where better Truths, and purer Chriſtianity were not admitted to diſplay themſelves, leſt the Policy and Grandeur of the *Romiſh* Church-men ſhould be demoliſhed, by the Kings and Princes governing the Chriſtian World. Theſe debates were not clearly ended by the whole number, but rather concluded by a confuſed murmur of every one in a ſeparate Voice, ſhewing their Diſquiet too great to be ended in a conjoyned Body, without longer debates, and more time and leiſure given to think what to ſay. But the forementioned Travellers being amazed at what was ſaid, together with the confuſion that ſeemed to end the *Conſult*, having no power to make enquiry into the matter, were endeavouring to get forward that they might purſue their Journey; when he that firſt ſtopped Mr. *Loe* upon the Road, took hold of him, and ſaid, *Remember, Friend, that we died more upon the account of Policy, than Religion; I mean, as far as we were voluntary in our Deaths, deſigning to humour the fancy of ſome Greater than our ſelves, and yet hoping to arrive at Saintſhip and a glorious memory; but yet here we feel our ſelves under a violent ſting of Conſcience, and under that Diſquietude which threatens a long date before it draw to an end, if it end at all.* No ſooner was this delivered, but all the other four ſhew themſelves, and ſpeak ſomething of a like reſemblance, but with great confuſion, conſtantly mixing promiſes and threats, and ſighs and groans together; and at the laſt, with one very deep and moſt lamentable *Groan*, theſe Appearances all begin to tremble, and at firſt fall into a groſs and dark Cloud, which at length grew brighter and brighter, till at laſt it was wholly dwindled away into a purer Air.

This delivered theſe two Gentlemen from their interruption, giving them leave to purſue their Journey, but did not deliver them from their wondering and diſcourſing upon the ſame, in an extraordinary manner: They had not gone very far, before their wondering grew ſo compoſed, that it gave way to more rational Conferences, which interchangeably they improved into ſome good Concluſions, naturally deduced from what they had ſeen and heard; as, That the moſt men change their minds at or after Death; theſe men did it not at Death, therefore might be allowed the common priviledge of Mankind, to do it afterward, ſeeing they did it not before. It's certain enough, that the ſentiments of men in the Body, and thoſe that are ſeparate from it, are vaſtly differing: That obdurate Conſciences may remain unſoftned even by Death it ſelf, till the Terrors of another World perform it: That even the worſt ſort of Religion, may be attended with a ſort of moſt ſtout and firm Profeſſors; or, That a meer *Artificial Religion*, by long practice may ſo beſot men, as to make them obſtinate in its defence, even to Death it ſelf: That vaſt is the difference between *Natural Conſcience*, which is bred up, tutor'd and diſciplin'd by *Artificial Rules* of a Religion contrived by Men, and that which is renewed, inſtructed and guided by the Spirit and Word of God: That there is not a poſſibility of ever truſting or believing the Profeſſors of that Religion, whoſe greateſt Prieſts and Leaders dare to leave the World, telling the moſt ſplendid, obſtinate and deſperate Lyes that can be contrived by Humane skil.

But

But hold, ſays Mr. *Pointwell*, theſe things are a little too grave and ſerious for men whoſe minds are juſt tired with *affrights*, and contemplation; I will therefore a little refreſh my own and your Thoughts, with a true Hiſtory, referring to ſuch men as theſe whoſe Appearances we have ſeen, upon this Subject, *That there are no Jeſuits in Hell:* the thing was thus. A *Jeſuit* Preaching in the Great Church in *Padua*, towards the end of his Sermon he fell into a large Commendation of the Order of the *Jeſuits*, extolling it above all the *Religious Orders* that then were, or ever had been in the World, giving God thanks that he had the happineſs to be of that *Order:* And in the cloſe of his diſcourſe, he told his Auditory, that he would acquaint them with a Viſion which he had lately ſeen. The other Night, ſaid he, I dream'd that I was in Hell, where methought I ſaw Popes, Emperors, Kings, Queens, Cardinals, Biſhops, Abbots, Monks, Friers, and ſome of all ſorts of men both Eccleſiaſtical and Secular, but not one *Jeſuit* amongſt them all; which made me to bleſs God that ever I was born to be of ſo bleſſed a Society, which though it had ſent ſo many thouſands of that Holy Order to the Grave, yet never any of them went to Hell: And ſo he concluded his Sermon, with a freſh *Encomium* of the Society of *Jeſuits*.

The next Sunday after, a *Dominican Fryer* Preached in the ſame Church, and he alſo towards the end of his Sermon, fell upon the high praiſes of the Order of the *Jeſuits*; repeating much of the *Jeſuit's* Sermon the day before, and bewailing himſelf that it was not his fortune to be of that Holy Order, whereof none ever went to Hell, as the Reverend Father had told them the day before: At laſt he told the People, that he alſo had ſeen a Viſion, and dreamed likewiſe one Night, that he was in Hell, where he ſaw Popes, Emperors, Kings, Cardinals, and all ſorts of Orders, as the *Jeſuit* had notably ſhewed them the day before; but not a *Jeſuit* (ſaid the Fryer) could be ſeen amongſt them all: Then thought I to my ſelf, O what a bleſſed Order is this! O that I had been a *Jeſuit*, and not a *Dominican!* and ſtill I caſt my eyes aſide all over Hell, but could not find ſo much as a Piece of *Jeſuit* there, but ſtore of all other Religious Orders; yea, even of *Dominicans*, my own Order, I ſaw great ſtore. At laſt me-thought I beckon'd a Little Devil to me, and asked ſoftly in his ear, Whether there were any *Jeſuits* in that place or no? He anſwered, That there were none there, but that they were kept in an Hell by themſelves; which is a great Room under this, where (ſaid the Little Devil) there be abundance of them, and they come thither ſo faſt, that my Maſter *Lucifer* ſcarce knows where to beſtow them; and beſides, they are ſo unruly, that if they were not kept by themſelves, every body would be ſoon weary of this place: He further told me, That his Maſter durſt not let them have any Gun-powder, for fear leſt they ſhould blow up this place.

This Story ended, the two Travellers arrived at their Dining-place, where they ceaſed any farther Conference upon things of this Subject, till a new opportunity.

*FINIS.*

F. 230.

The Grand *KIDNAPPER* at last Taken!

Or, a Full and True

# ACCOUNT

OF THE

## Taking and Apprehending

OF

# Cap. Azariah Daniel,

## For conveying away the Bodies

OF

*Jonathan Butler*, and *Richard Blagrave*,

Also the large Confession he made before Justice *Richards* in *Spittle-Fields*, with his Committment to *New-gate*.

With Account of *Edward Harrison*, Conveying away the Children of *Thomas Vernon* Salesman, with the manner of his Confession how a Hundred and Fifty Children more have been sent down the River in several Ships; with his Committment to *Newgate*.

THE Noise which the detection of the former Kidnappers had made in the Town; occasion'd such strict enquirys to be made after other Children which have been lost, by their afflicted Parents, that pursuant to their great care, all Houses near the Water Side, and all outward bound Ships now in the River, have been severaly search'd, and many Childeren rescued by those means from the dangers wich threatned 'em, but tho' the theft was regain'd, the Thieves for the generality made their escape, and we have had but Three, and those not the Principal who have been taken in those abominable Practices, till *Wedesday* the 7th. of this Instant *September*: When one Captin *Azariah Daniel*, Commander of a Ship now in the River, coming by the *Stocks-Market*, was met by two Gentlemen who having lost their Childre[n], pursuant to the information they had of him, ware in search after him

As the sight of the Captain was unexpected at that juncture [so] it could not but be very pleasing, accordingly one of 'em dog'd him to a Publick-House in *Cheapside* whilst the other went for a Constable, To whom they deliver'd the Warant they had before in order to his makeing use of it: Accordingly the Constable took him into his Custody, but because the Warrant was sign'd by Justice *Richard* in *Spittle-Fields*, according to the Gentlemans desire he was carried thither before him; But the Justice out of his great wisdom thinking it proper, (since these Gentlemen had nothing but

bare ſuſpicions againſt him) to know the place of his preſent abode, becauſe he had abſconded from his uſual Habitation, ask'd him where his Lodgins were, and being anſwer'd in *Brook-ſtreet* in *Shadwell*, ſent thither to ſearch if any thing could be found as Evidence againſt him. And the Rooms being ſearch'd, two Children were found bound in a Garret.

They ſeem'd to be about the Age of Twelve, and being brought before the Juſtice ſaid their Names were *Jonathan Butler*, and *Richard Blagrave*; The Juſtice having heard what he had to ſay in his own defence, immediately order'd his Mittimus for *New-gate*. Where he was brought accordingly at a Eleven of the Clock the ſame Morning, and is in great danger this Seſſions, ſeveral People, being prepar'd to prefer Indictments againſt him.

*Mr.* Vernon *a Sales-man in the Pariſh of* Stepny, *having but one Child and that ſome time ſince loſt, was very Solicitous in enquireing after Him: And purſuant to his great care in looking after him, he receiv'd information that one* Edward Harriſon, *a Marriner who liv'd in the Neighbourhood, had been ſeen with a Boy about the Age his ſon was deſcrib'd to be of, and who ſeem'd very unwilling to go along with him.*

Accordingly Mr. *Vernon* went to *Sr. Robert Geffery's*, and having gotten his Warrant, took a Conſtable with him and went to the Houſe of *Edward Harriſon*, whom he found at home, and charged the Conſtable with him.

The Priſoner ſeem'd at firſt ſurpriz'd, at his unexpected apprehenſion, and ſeem'd ſenſible of nothing of Guilt. proteſting much for his innocency. But being brought before the Juſtice his courage fail'd him, and ſeveral inconvenient queſtions being put to Him by Sr. *Robert*, he at laſt confeſs'd he had convey'd away the Child three weeks ſince aboard a *Barbados* Ship now in the River, and beſides him there were above a hundred and Fifty more aboard ſeveral other Ships in the ſaid River bound to his Majeſtys Plantations. Haveing made this ingenous Confeſſion his Mittimus was made for *New-gate*, and he was accordingly ſent Priſoner thither.

And ſeveral Parents who have, loſt their Children, have got the Lords of the Admyralty's Warrant in order to Search all outward bound Ships for the recovery of 'em.

Licenſed according to Order.

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*London*, Printed for *James Read*, near *Fleet-ſtreet*.

# Full and True ACCOUNT

Of the Apprehending

# James Whitney,

The Notorious High-way-man; near *Biſhopſgate.*

With his *Examination* and Confeſſion before Sir *Thomas Cook*, Sheriff, and the Recorder of the City of *London.*

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This may be Printed, *Edmund Bohun.*

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IT is not to be doubted but every body has heard of that bold Robber *Whitney*, whoſe many daring Exploits on the Roads about *London*, have purchaſed him an equal ſhare of Infamy, even with the greateſt Robbers. The Town has been often abus'd with falſe News of his being taken: but notwithſtanding the Diligent Searches that have been made after him, ſuch was his cunning, that he has eſcaped till now.

On *Saturday* the 31ſt of *December*, about five in the Afternoon, one Mr. *Hill* who knew *Whitney*, ſeeing him go into a Houſe in *Hounſditch* near the Church, ran down to the Pye at *Aldgate*, and getting a Conſtable and what Aſſiſtance he could, went to the Door and waited his coming out; but he ſuſpecting ſome miſchief, came out with his Sword in one hand and his Piſtol cock'd in the other, bidding them ſtand off, but *Hill* preſſing hard upon him, he ſtabb'd him with his Sword, which Wound is fear'd to be mortal. Upon which he was forc'd to run, and made his way towards *Biſhopſgate*, tho' the Crowd preſſed hard upon him and knock'd him down ſeveral times, upon which he diſcharged his Piſtol, without hurting any body, and run into Mr. *Podmore* a Hoſiers Shop near the Gate, where the Conſtables and Crowd forcing in, immediately took him.

Notice was given to Sir *Thomas Cook*, who immediately diſpatcht away his Officers to guard the Houſe, whilſt he ſent another to Major *Richardſon* to acquaint him with it; who ſent ſome of the Keepers with Irons and Handcuffs to ſecure him. By this time, Sir *Tho. Cook* and the Recorder came themſelves; and the Recorder admoniſhing him to confeſs his Accomplices, telling him three hours hence would be too late, he reply'd, *He had nothing to ſay to that. But that he had not been guilty of ſeveral of the Robberies Father'd on him.* Being aſk'd, where he lodg'd laſt, he anſwered, *That ſince he had been in ſo much danger, he had a very ſafe Lodging, and therefore muſt beg their Pardon.* The Recorder finding he would not confeſs any thing, committed him to *Newgate*, whither he was carry'd in a Coach, the Rabble huzzaing him all the way.

As to his Perſon, he is a tall brown Man, with Pockholes in his Face, and a cut in his Lip, aged about Thirty. His Habit was a grey Coat, and Shag Breeches laced with Gold Lace, and a Dark Campaign Wig; in the Scuffle his Head and his Knees were broke, and he loſt his Hat, and White Chamblet Cloak.

*LONDON*, Printed for *Randal Taylor*, near *Stationers-Hall.*

H. 230.
515 l. 2
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# True Valour cowardly Exploded.

Or, A Full and [illegible]

# ACCOUNT

Of the

# Barbarous MURTHER

OF

# Enſign van Soult,

## Belonging to the Hon^ble Col Iterſon's

Company of *Dutch* Foot Guards, who was ſhot as he was walking in the Park, on *Monday* mornig laſt, the 6 of this inſtant *June*, by a Soldier in his own Company.

NEVER *was a more polite Government, Prudent, Pious, and diſcreet Magiſtracy; and yet ſuch is the wickedneſs of Man, never were more numerous Acts of Inhumanity Committed, as well by our own Country men, as others; Acts for their hainouſneſs, that even the moſt ſtupendous Times would be aſtonied of; two direful Inſtances whereof take as follows:*

*Monday*, the 6th of this Inſtant *June*, Mr. *Van Soult* Enſign in the Honourable Colonel *Iterſon's* Company of *Dutch* Foot-Guards; cauſed a private Soldier, under his command to run the Gantlet, for ſome Miſdemenors; and amongſt the reſt, for abſenting himſelf (as its ſaid) from his Duty, or at leaſt neglecting it: Which done the Enſign, either not being ſatisfied, or the Soldiers evil Behaviour giving freſh provocation, it's ſaid, he order'd him the ſame Puniſhment to be inflicted next day: Whereupon the Helliſh Spleen of the ſaid private Soldier was ſo rais'd, that, without any further conſultation, he immediately marches to his Quarters, changes his Military Dreſs, his Blew Coat and ammunition Sword, and Hat, &c. For another Habit; and ſo returns to the *Park* and takes a walk down the *Mell*; where according to his Expectation he found his Enſign, whom he paſs'd by a little ſpace and then immediately fac'd about, and ſhot him quite through the Body; ſo nigh he was to him that after the Bullet had paſs'd thorough him it wounded another Man before him in the Thigh.

The effuſion of Blood was conſiderable, as may yet be ſeen in the *Park*, tho the unfortunate Gentleman was immediately convey'd to his Lodgings the *Globe Tavern*, beyond the new Buildings in *Weſtminſter*. The Murderer was likewiſe forthwith ſeized, and ſecured

ſecured by the Guards which were ready at Hand; and we are inform'd muſt be tryed by a Court Martial, according to the Methods of their own Country; and if ſo, his Execution may be in a few days expected

What has infinitely added, to the Inhumanity of the action is, that this ſame Enſign has in a particular manner (over and above his common Generoſity) been extraordinary Kind to his Bloody Butcher, by relieving him (as I take it) from a Goal, on the account of a Baſtard Child by him begotten: And indeed moſt Military perſons (that knew the deceaſed Enſign) gave him a very good Character for a Sober, modeſt, meek and mild Man: very Courageous and Valiant Loyal and Faithful.

*And now for a ſecond Relation of the ſame direful Nature.*

*Edmond Audley*, for that's the Name of the notorious inhumane Butcher, it ſeems for ſome time paſt bore a Malice againſt the perſon of the Deceaſed *Hannah Bullevant* ſuppoſing (as we are creditably inform'd) that ſhe had ſome way injur'd, pinch'd or wrong'd him in bearing Teſtimony againſt him; but be that how it will, it ſeems he reſolv'd to be reveng'd on her; according whereto, Yeſterday *Wedneſday* the 1ſt. of this Inſtant *June*, he dogg'd her, for ſome time together, from place to place for a conveniency to execute his Bloody Deſign; In *Chriſt's* Hoſpital, otherways known by the Name of the *Blew-coats Hoſpital* he firſt motion'd to fire a Piſtol at her as ſhe paſs'd thro the Cloyſters, but miſs'd his Aim: tho' the Innocent Gentlewoman was not ſo happy as to take notice of it. From hence he follow'd her into *St. Martins le Grand* where ſhe went into a Shop at the corner of *Bell-Ally*, near *Aldersgate*, which Oppurtunity he greedily laid hold of, and fir'd a Piſtol, which miſs'd, tho' before ſhe could make Eſcape, he pull'd forth another, pur ſhot her quite through the Head, her Brains being ſhatter'd to pieces: The Miſtriſs of the Shop took ſo great a Fright at the deplorable Object that ſhe jump'd over the Counter in the Shop, a place ſo high, that, in reaſon, no Man could be expected to have done it.

The Noiſe of the *Piſtol*, and the *Shrieks* of the *Gentlewoman* in the *Shop* together, alarm'd ſeveral of the Neighbourhood, who preſently ſurrounded the *Murderer*; on *which* he proteſted to *ſhoot* the Firſt Man *that* offer'd to lay Hands on *him*; notwithſtanding all *which*, a jolly Souldier; *who*, by Providence, *happened* to paſs by at *that* time, drew *his* Sword and preſently ſeiz'd him: After *which*, *with* the Aſſiſtance of the *Conſtables*, *they had him* before the Honourable Sr. *Edward Clark*, late Lord Maior, by whom he was Committed to *Newgate*.

*LONDON*, Printed and Sold by *J. Read*, near *Fleet-ſtreet*.

H:115

# Concealed Murther Revealed.

Being a Strange *Diſcovery* of a moſt *Horrid* and

# Barbarous Murther,

That was Committed in St. *Catherins-Lane* near *Tower-Hill*,

## By Mary Anderſon, alias Fazrel,

On the Body of

# Hannah Jones an Infant

Of 8 Weeks Old, the Child of Mr. *Jones*, an Eminent *Joyner* at the *Globe* in *Hounds-Ditch*.

As alſo

*How it was Conceal'd 3 Years, and not Diſcovred till* Monday *laſt, at which time, ſhe Confeſſed that ſhe had Drowned the Infant in a Pail of Water: With her Examination before Juſtice* Webber *in* Good-Mans-Fields, *and her Committment to* Newgate *on* Tueſday *laſt, with other Remarkable Particulars.*

MARY ANDERSON, Wife to *Thomas Anderſon* Ship Carpenter who is at *Portsmouth*, having Lived ſome time with her Mother Mrs. *Farrel* in St. *Catherins-Lane* near *Tower-hill*, who got her Livehood by nurſs Keeping, the old Woman being a Widdow, Endeavoured to prefer her ſaid Daughter to the ſame *Buſſineſs* of taking Children to Nurſe, and the raither becauſe ſhe had a young Child of her own, ſo that being qualified for this undertaking her Mother made application to Mrs. *Jones*, an eminent Joyners Wife at the *Globe* and *Gain-Ghare* in *Hounds-ditch*, in order for the ſaid Daughter to *Nurſe* a young Female Child, which ſhe had to put out; ſo having agreed to let her keep it at 4 *l.* per Week the Child was ſent to her when it was about three Weeks old, where it continued for about a Month, to the ſatisfaction of the Parents, who often went to ſee it; But before ſhe had kept it full five Weeks, word was brought to Mrs. *Jones* that her Child was Dead, and that it Dyed ſuddainly in a violent Fit; and tho Mrs. *Jones* ſeem'd to doubt of ſome neglect that the ſaid Nurſs might be guilty of, by accidentaly Overlaying it, or the like: Yet in regard no appearance of Violence could be Diſcovered on its Tender Body, ſhe at laſt concluded it Dyed a Natural (tho ſundain) Death, and from that time (which was in *October*, 1696.) till the time of the Diſcovery of the Murther, no more queſtions were made Concerning it.

But alaſs Murther is too heavy a Sin to be conceal'd always, tho' the thoughts of ſuch Loathſome Barbarity may be ſmothered for a time, yet the continual Stings of Conſcience will be like ſo many Gaſtly Ghoſts to ſtare the Murtherer in the Face, till it cauſes flames of Terror and Diſpare to break out with uncontroulable Violence; for Blood will never ceaſe Crying for Vengeance, till ſuch horrid deeds of Darkneſs are brought to light.

But before I inſiſt on the manner of this Strange Diſcovery I will inſtance the Circumſtance of the Murther it ſelf, which is as followeth, *viz.* having as you have heard, taken the ſaid Child to Nurſs (whoſe name was *Hannah jones*) and kept it near 5 Weeks, ſhe the ſaid *Mary Anderſon* one Morning (as ſhe herſelf declared) about 4 of the Clock Lighted a Candle, and taken the ſaid Child out of its Bed by reaſon of its violent Crying, which ſhe ſays it was very ſubject two, and having at the ſame time a Young one of

her own in the Bed with her, then a Sleep, she was so wickedly incensed against th poor Harmless and Innocent Infant, and for no other reason but thinking it would d sturb her's; and the Devil having taken Possession of her Heart: She fills a Pail full Water and taking the Crying Infant in its Swadling-Clouts, and in a wretched manne Plung'd it over Head and Ears into the Water, where with her Deviliſh and Unmerc ful Hands, ſhe held the Body under Water, till its Innocent Life was Expired.

Having perform'd this hateful and unparralelled Barbarity, the awake her Siſter (*Elizabeth Farrel*) who was in a Bed in the ſame Room by tellin her what ſhe had done, who being much amaz'd and affrighted leap'd out, Bed and took the Child out of the Water, and withall ſpeed took it to th Fire in order (if poſſible) to bring it to Life, but all in vain, whereupo the old Mother was inform'd of this unhappy Action, who in order to ſa her Daughters Life adviſed them how to Conceal it which was by dryi the Childs Body, and after to ſend Mrs. *Jones* word that it Dy'd in a Fi which was accordingly done as aforeſaid, ſo that the ſaid Barbarous Murth was kept Secret in the breſt of the Mother and her two Daughters for nea three Years ſucceſſivily. But their Mother Dying laſt Week, it is reporte that her Ghoſt, (or rather her won Conſcience) ſo Tormented her that ſ could not reſt till ſhe made a diſcovery thereof, and accordingly on *Monda* laſt ſhe ſent for one Mrs. *Shepbard* and others of her next Neighbours, an Declared the ſad Circumſtances relating thereto as before, whereupon ſ and her Maiden Siſter *Elizabeth Farrel* were Apprehended and Carried b fore the Worſhipful Juſtice *Webber* in *Goodmans Fields*, where ſhe confirm what ſhe had before Declared to her Neighbours; after which the Juſtic demanded of her Siſter why ſhe conceal'd ſuch a Cruel and Barbarous A on, to which ſhe reply'd that her Mother and Siſter did threaten her wit Death if *ſhe* did diſcover it and added that *ſhe* was in great torter of Min ever ſince the Murther was Committed, and that *ſhe* knew nothing of till the Infant was Dead, beſides *ſhe* was loath to take her Siſters Life awa thinking thereby that it would as much burthen her Conſcience as Co cealing the Murther; whereupon after the Juſtice had weighted and con ſidered all circumſtances he took *Bail* for her Appearance at the next Seſſion but Committed *Mary Anderſon* her Siſter who Murthered the Child to *New gate*, and accordingly *ſhe* was carried thither in a Coach about one of th Clock on *Tueſday* laſt.

Since her Commitment we are Credibly inform'd that *ſhe* has once e twice attempted to Drown her own Child after the ſame barbarous ma ner had *ſhe* not been prevented by her Siſter.

'Twas alſo obſerved that the aforeſaid *Mary Anderſon* was at ſome certai times very Malencholy and Dejected, ever ſince *ſhe* Committed this Fat and Tragical Action and her Mother (when alive) being asked by th Neighbours what was the occaſion thereof, *ſhe* would uſually fetch a grea Sigh and tell them that *ſhe* had done a very ill thing, but none did in th leaſt immagin *ſhe* was guilty of ſuch a wretched *Barbarity* as is now mad publick.

*Licens'd according to Order.*

*London*, Printed for *William Aldredge* in *Southwark*.

# AN ACCOUNT

## *Of the Behaviour of*

*HENRY WELLER,* *JOSEPH RUMNEY,*
*JOHN RALPH,* *MATTHEW SMITH,* } in *Newgate.*
*CLEMENT SNELL,* *RALPH COOK,*

## Since their *CONDEMNATION.*

### *With Seaſonable Advice to all Condemned Priſoners; Publiſhed by their earneſt Requeſt and Deſire.*

AS God himſelf is a Compound of all that is good: And that it is moſt evident that he is filled up with goodneſs by his extent of Mercy and favour to poor Creatures that have ill deſerved it at his Hands, the nature of whoſe Crimes being of the deepeſt Dye, and attended with the greateſt aggravations. Witneſs *Manaſſeh, Mary Magdalen,* the Thief upon the Croſs, and many others: The conſideration whereof ſhould work tenderneſs and pity in all our Hearts towards thoſe poor Creatures; that notwithſtanding the repeated inſtances of Divine Juſtice and diſpleaſure from time to time, yet being hardened in ſin take no warning, till they deſervedly bring themſelves to a ſhameful and ignominious Death; The following advice and directions to poor Condemned Priſoners was written in Love and Pity to their Souls, and by the earneſt requeſt of theſe Six Perſons abovementioned, to whom we hope God hath in much mercy given to ſee the horrible nature of thoſe ſins for which they juſtly ſuffer: very much bewailing the nature of their Crimes, and the aggravating circumſtances that did attend them; *Henry Weller* in particular greatly Condemning himſelf, and ſaying, *that his ſins were greater than the reſt, becauſe Committed againſt great Light and Knowledge.*

They were the more earneſt to have this publiſhed; becauſe as they ſaid, *It might not only by the Bleſſing of God do good to their own Souls, but that it might be ſeaſonable to all others hereafter, whoſe Crimes makes them obnoxious to the ſame fate.*

1. I beſeech you conſider the time paſt, and the manner of your life. How many Days, Weeks, Months, and Years are paſſed over your Heads, in which you have had no regard to the glory of God, nor the ſalvation of your pretious ſouls, but have taken pleaſure in unrighteouſneſs, to the diſpleaſing of a glorious God, and the deſtroying of your own Souls.

2. Con-

2. Conſider and call to mind the ſeveral ſorts of wickedneſs you have been guilty of, and have repeated many times over in the practice of them, *viz. Lying, Swearing, Drunkenneſs, Uncleanneſs, Breach of the Lords Day, and rejecting the means of Grace,* beſides thoſe abominable Crimes you are Condemned for by the Laws of the Land.

3. Conſider that all of theſe ſins or any of them, are damning to thoſe that are guilty of them, and therefore though ſome of you may plead that you are not actually guilty of all kind of wickedneſs, yet your State is bad enough, for it is written, *he that breaketh the Law of God in one point, is guilty of all.*

4. Conſider that it is much more your work, and will be more profitable for your Soul, to lay to Heart what you are guilty of, than to pleaſe your ſelves with what you are not actually guilty of; for as much as the forbearance of ſome ſins is not enough to ſave you, but to be charged of, as guilty of, in any ſin is enough to damn you.

5. Conſider that your wicked Life and Converſation is contrary to, and hath been in oppoſition of the good word of God, the inſtructions of Relations and Friends, the teachings of your own Conſcience, and good Laws of the Land, beſides the many warnings you have had from many that have gone before you, who have been brought to ſorrow and ſhame by their wickedneſs, in ending their Days to the great Grief of their deareſt Friends.

6. Conſider that it is the great Mercy of God to you, in forbearing of you ſo long; foraſmuch as he might in Juſtice a ſent you to Hell long agoe, if he had dealt with you according to your Deſerts, and ſo in ſtead of having an oportunity to Weep and Pray to God, now you might have been in the Tormenting Flames, out of which there is no deliverance.

7. Conſider that the time paſt cannot be Recalled, not a Year, not a Month, not a Day, no not one Hour, and the time you have to Live is very ſhort, and therefore you ought ſo to number your days, as to apply your hearts to true Wiſdom, which is to fear the Lord, for the fear of the Lord is the beginning of *Wiſdom*, and the true fear of God is to hate Sin. O Remember that Eternity dependeth upon this little opportunity and therefore take heed you do not looſe any Moment of it, for the good of your Pretious Souls.

8. Conſider that ſin hath been the cauſe of all the Miſery that ever came upon Mankind: Sin turned *Adam* out of Paradiſe, ſin made *Cain* cry out, *my puniſhment is greater than I can bear*: Sin deſtroyed the World with water, Sin burn'd *Sodom* and *Gomorah* with Fire and Brimſtone, Sin rent the Kingdom of *Iſrael* from *Saul*, and God gave the Kingdom to *David* a better Man. Sin cauſed *Nebuchadneſar* to go Graſeing among the Beaſts of the Field, and brought his Nobles from being Companions of Princes, to be a Prey for devouring Lions Sin hath deſtroyed famous Kingdoms, Families, and particular perſons; yea, ſin caſt ſome of the Angels out of Heaven into Hell, and ſin will turn you out of this World into Hell. *Except you repent ye ſhall all likewiſe periſh.*

Conſider the unſpeakable love of God in ſending his only Begotten [illegible] the World to be a Ranſome for Captive Souls, a Phyſician for

Sin-

Sin-ſick Souls, A Reconciler for Souls that have been Enemies to God by wicked works, A Reſt for weary Souls, Food for Hungry Souls, Rayment for Naked Souls, and a Saviour to give Pardons to Criminal Souls. O how ſhould this melt and break your Souls into Sorrow and true Contrition, that ever you ſhould ſo ſin, and ſo long time againſt ſuch a good God, and ſuch a pretious Chriſt.

10. Conſider that this pretious Jeſus hath perfectly kept all that Law of God which you have wickedly broken, and he hath ſuffered the ſeverity of Divine Juſtice, and thereby hath ſatisfied Divine Requirement, for and in the behalf of ſuch poor miſerable Sinners as you are, the Juſt ſuffered for the Unjuſt, he was made a Curſe to Redeem others from the Curſe of the Law, O this ſweet Jeſus was cut off, but not for himſelf, he was Stricken and Smitten of God, for the ſins of others, that by his Stripes they might be Healed.

11. Conſider that this very ſame Jeſus is now alive, being Raiſed from the Dead.

*He that was Dead is Alive and behold he liveth for ever more.*
*He that was Hanged on the Croſs, now ſitteth on the Throne.*
*He that did Bleed on the Croſs now Pleadeth on the Throne.*
*He that Died on the Croſs now Reigneth on the Throne, having all Power in Heaven and in Earth, and is Admired, Adored and Worſhipped by the Holy Angels.*

12. Conſider that the perſon of Jeſus Chriſt, as God and Man in Union together, and his bleſſed Merits in the Actual ſervice of God, which he compleatly performed together, with the Puniſhments which he patiently ſuffered, is the only object of your Salvation, if you fix your Faith and Hopes upon any other object, either Perſons or Things, you will be utterly, yea, Eternally undone, for there is no perſon on Earth, no works of Righteouſneſs was wrought by your ſelves, the Virgin *Mary* Saints not Angels in Heaven that can ſave your Souls: None but Chriſt, none but Chriſt, he only is able to ſave to the utmoſt, all them that come to God by him.

13. Conſider that Jeſus Chriſt is very willing to ſave poor ſinners, he hath declared his willingneſs in ſaying, *Come unto me all yea that labour and are heavy laden, and you ſhall find Reſt for your Souls,* and in another place he ſayeth, *He that cometh to me I will in no wiſe caſt out.* O ſinners Chriſt is more willing to ſave ſinners then they are to be ſaved, Demonſtrated thus.

1. In his coming from Heaven to Earth, and appearing in the likeneſs of a Man, though he was equal with God.

2. In his Condeſending to ſo mean a Birth, being brought forth into the World, and laid in a Manger, the place of Beaſts, that ſo poor ſinners might have a place among the Holy Angels.

3. In living ſuch a Holy, Humble, and Sorrowful Life.

4. In dying ſuch a Cruel and Curſed Death.

5. In his Riſing from the Grave.

6. In his Aſſending into Heaven.

7. In his Pleading and Interſeding with his Father in the behalf of all them that truly believe in him.

14. Conſider

14. Conſider the unwillingneſs of poor Sinners to be ſaved; Demonſtrated thus:

1. They take pleaſure in thoſe things that they know are deſtructive to their precious Souls.

2. They are not willing to leave thoſe things which are diſhonouring to God, and damning to their Souls.

3. They are not willing to come to Chriſt; He hath ſaid, *You will not come to me that you may have Life.*

4. They are not willing to hearken to the Counſel and Reproof of thoſe that love and deſire the eternal Welfare of their Souls.

5. They are not willing to accept of the gracious Offers and Proffers of God. O, apply theſe things to your ſelves, and ſay unto God, *I, even I am the vile wretch that am guilty of all theſe horrid Crimes, and now I am in danger of Eternal Damnation.*

Conſider what it is to be Damned; foraſmuch as Damnation is the greateſt of all Miſeries: Thus demonſtrated;

1. It is to ſtand charged with all Sin at the time of Death.

2. It is to have the Soul diſpoſed of by the great God to a State of Miſery all the time of its ſeparation from the Body.

3. It is to have the Body raiſed at the time of the Reſurrection with ſhame and contempt.

4. It is to be condemned in the Day of Judgment, with that dreadful word *Go ye Curſed.*

5. It is to undergo everlaſting puniſhment: And that muſt be further conſidered thus;

1. It is to be ever baniſhed from the comfortable preſence of God.

2. It is to be for ever in the Company of Devils.

3. It is for ever tormented in Flames of Divine wrath, which cannot, which will not for ever be quenched.

4. It is to be for ever deprived of all ſorts of Comforts; no Society with good people, no Treaſures, no Pleaſures, no Honours in Hell; while we are on Earth, our Miſeries are mixed with Mercies; but in Hell it is all Miſery, and no Mercy; loads and heaps of Miſery, but not a dram nor drop of Mercy.

16. Conſider what it is to be ſaved; for as Damnation is the greateſt of all Miſeries, ſo Salvation is the greateſt of all kind of happineſs; Demonſtrated thus:

1. It is to have your ſins pardoned.

2. It is to be reconciled to God, and ſo brought into a bleſſed Friendſhip.

3. It is to be redeemed from the Slavery of Sin and Satan.

4. It is to have the Soul received into Heaven at the time of Death.

5. It is to have the Body raiſed and changed at the time of the Reſurrection into the likeneſs of the glorious Body of Jeſus Chriſt.

6. It is to be for ever with Chriſt, beholding and enjoying his Glory; being for ever freed from Sin, from Sickneſs, from Temptation, from Poverty, from Perſecution, and from whatſoever now hath the Name of Miſery upon it.

17. Conſider that very great Sinners have obtained and ſhall obtain this bleſſed Salvation; and this may put you in ſome hopes, if you take the good right way. O therefore now weep bitterly; now pray ſincerely; now condemn your ſelves deeply; now juſtifie God highly; now fly to Jeſus Chriſt ſpeedily: O now, even *now*, while ſweet Jeſus doth offer Balm to heal you, while his bleſſed Fountain is open to waſh you, and while his precious Arms are ſtretched out to receive you, haſte, haſte, leſt you periſh for ever, leſt dying, you meet with Damning, and ſo after Hanging at the place of Execution, you hang in the Chains of Damnation; from which good Lord deliver you.

*FINIS.*

THE

# True Relation

OF THE

# TRYALS

At the Sessions of *Oyer* and *Terminer*,

Held for the City of *London*, County of *Middlesex*, and Goale Delivery of *Newgate*; which began in the *Old-Bailey* the 17th of this instant *January*, and ended the 18th of the same.

As particularly of

# Elizabeth Wigenton

FOR

## Whipping a Girl to Death at *Ratcliffe*.

And *John Peetly*, for shooting a Gentleman in *Queen-street*. Also the Account of the Proceedings with one *John Bully* a Popish Priest. The Number of the Condemned, Burnt in the Hand, and to be Whipped, with many other material Tryals.

THE Sessions began at the *Old-Bailey*, on Munday the 17th of this instant *January*, (being put off the Wednesday before, by reason of the sitting at *Guildhal*) where were these following proceedings. *Elizabeth Wigenton* of *Ratcliff* Parish, was Tryed for the Murther of a Girl about Thirteen years of age, which was her Apprentice, the manner of the Murder being thus: She being by Trade a Coat-maker, and having set the Girl upon a Piece of Work, she had not done it so well as she required, whereupon she beat her grievously, the which not sufficing her cruel rage, she went and got a bundle of rods, (and a man to hold her) with which, after she had bound her, she whiped her so unmercifully, that the blood ran down like rain; yet could she not be perswaded to desist, till the Girl fainted away with crying, and of her unmerciful usage in a short time dyed. Upon her Tryal she pleaded little in her own defence, onely saying, that she did not think to kill her. So that it being proved that she had been a cruel Woman by all her Neighbours, she was found guilty of wilful Murther.

*Katherine Neale* was Tryed for stealing about Twenty yards of Persian Silk out of a Mercers shop, which being taken upon her, she was found guilty of the Felony.

*Jane Yong* was likewiſe found guilty for ſtealing Linnen from a Gentlewoman in the Pariſh of *St. Sepulchres*, to the value of nine ſhillings.

*Jane Harding*, a notorious Shop-lift, was Indicted for feloniouſly entring the Houſe of *Will. Smith*, of the Pariſh of *Botolfes* without *Biſhops-gate*, and ſtealing Goods to the value of eight ſhillings and ſix pence, of which ſhe was found guilty.

*Jonathan Telcoat* received his Tryal, being Indicted for the Murther of an aged woman; but upon Evidence it was found, that the woman being troubled with Fits, he being in the room, hit her head upon an Iron, which gave her a wound, of which ſhe dyed: ſo that his being there, cauſed this Indictment; but upon proof that he was not near her when ſhe fell, he was Acquitted.

*John Peetly* Victualler, living in *Wheſtone-park*, was Arraigned and Tryed for the Murder of one Mr. *Gerard*, Nephew, as it is ſaid, to my Lord *Gerard*; the circumſtances of which, were theſe: The Party killed, with ſeveral other young Gentlemen, being late abroad, on the tenth of this inſtant in *Holborn*, took it in their way to come through *Wheſtones-park*, where ſpying Lights in *Peetly's* houſe, they knocked hard at the door, and bid him open it, the which he refuſing, one or more of them, began to break the windows, and having Linkmen with them, they threw up lighted Links, the which, as *Peetly* ſaid, did ſet fire to ſome Linnen in a Cloſet, at which he being Allarumed, got his Carbine in his hand, charged with ſmall Bullets, and purſued them up great *Queen-ſtreet*, till they came to the upper end on't, where the ſtanding Watch had ſtayed them, and cauſed them to deliver their Swords, whenas *Peetly* thruſting among the croud, was puſhed by a Watchman, and thereupon his piece went off, and ſhot the aforeſaid Gentleman in the Thigh, of which Wound he ſhortly dyed: but the Priſoner pleading that the Gun went off without his knowledge, he was Acquitted.

*Richard Johnſon*, and *John Cooper*, two Chair-men, were Tryed for the Murder of one Mr. *Waſhborn*, whom they killed with exceſſive beating, on the ſecond of *December*; the cauſe of quarrel was their ruſhing him with their empty Chair, againſt the rails of *Northumberland-houſe*, near *Charing-croſs*, ſo that he ſtriking them with his Cane, they fell upon him, and gave him ſo many bruiſes, that he dyed within twelve days after: wherefore they were Convicted of Man-ſlaughter, there being no proof that he ſtruck them firſt.

*John Oliver*, a French-man, who could ſpeak no Engliſh, was Indicted for breaking into a Chamber, at *Man's* Coffee-houſe at *Charing-croſs*, and taking thence a Ring, ſome Lace, and other ſmall matters: he pretended, as his Interpreters ſaid, that he went there only to ſleep, when he was taken upon the ſtairs, but being ſearched, the things were found about him; but for want of the Conſtables Evidence, who ſearched him, he was found not guilty, by reaſon none gave Evidence againſt him in Court, or ſaw the things taken about him.

*Anne Ditcher*, received her Tryal for ſtealing forty yards of Serge, and a Campaigne Coat out of the Shop of one Mr. *Harton* in *Drury-lane*; the Diſcovery of the Robbery was by a little Boy, who being taken upon ſuſpition for hankering about the Shop, confeſſed that he knew where the Goods were, and that he would carry him to the place where they were ſold, which he did, being at a Brokers in *Southwark*. The Broaker being queſtioned how he came by them, brought out the woman. Upon her Tryal ſhe pleaded ſhe had them of a man, but he not being produced, ſhe was found guilty of the Felony.

*Anne Carter* was Tryed for Felony and Burglary; for that ſhe on the 24th of *September*, about two of the clock in the morning, drawing up the Latch, entred the houſe of one *Magdalen Wooff*, and coming to her bed-ſide, took away her purſe with eleven ſhillings in it, and departed, the Proſecutor not daring to hinder her for fear of her life: they gave very bad Characters of each other in Court, and railed at a high rate; but in fine, the priſoner was found guilty of the Felony.

*Thomas Boyt* was Indicted for ſtealing a Shirt, a Cravat, and a pair of worſted ſtockings; the which being confeſſed by him to have been ſtollen from one *Edward Stevens* of *Hounſlow*, he was found guilty to the value of ten pence.

*Dorothy Mathews*, an old Shop-lift, was Tryed for ſtealing about a pound and half of Silk, and near ſixty yards of Taffata Ribbon, and Ferrit, from one *Elizabeth Waite* in *Holborn*. She coming into the Shop on the 19th of *October*, there being onely a little Girl in it, demanded where her Miſtreſs was? who told her, ſhe was gone into *London*; whereupon, ſhe deſired to ſee ſome Ribbon, which the Girl ſhewed her, but none would pleaſe, till ſhe had the box of Ribbon ſet before her; whenas one of her Accomplices coming in, and deſiring to ſee ſome likewiſe, held the Girl buſie, till ſhe ſtole the Goods aforeſaid; but ere ſhe could make her eſcape, being apprehended and carried before a Magiſtrate, the Goods were found about her; ſo that the proof being plain, ſhe was Convicted of the Felony.

*Eleanor Cookman* was Tryed as being acceſſary to the Murther of one *Smith*, who was ſhot by one *Orme*, ſince dead, by reaſon a Watch which appertained to the Deceaſed, was found in her cuſtody; but ſhe alledging ſhe found it in the pocket of the dead man, whoſe breeches ſhe had to waſh, delivered her by the hands of his friends, ſhe was acquitted.

*Jobe Land* was Tryed for ſtealing a Mare, appertaining to *William Gun*, the which he had afterwards ſold to one *Church*; the bargain being made at the *George* in *Leather-lane*, the ſaid *Church* being taken upon her back, as he was riding into the Countrey; but upon this Tryal, the party from whom ſhe was ſtole not appearing, the priſoner was acquitted of the Fellony.

*Frances Emington* was Tryed for ſtealing about 600 weight of Red-wood from the Royal *African* Company, which was taken from on board a Lighter, lying in the River of *Thames*, the Hatches of the ſaid Lighter being broken open in the abſence of the Waiters. The wood being taken about a Month after, as he was conveying it by the help of Porters into *Thames ſtreet*, where he pretended he had ſold it to a dry Salter; and did ſo far impoſe upon his Apprentice, as to lodge ſome of it in his houſe, he being gone into the Country, ſo that the Fellony being plainly proved, he was found guilty.

*Blanch Thomas* a ſervant-wench was Tryed and found guilty, for Robbing her Maſter *William Palmer* of *St. Martins in the fields*, of the Sum of Ten pounds, which his Wife had hid between the Mat and the bed; ſo that as ſhe was making the bed ſhe found it, and converted about three pounds of it to her own uſe, before they miſſed it; but ſhe being apprehended for the ſame, delivered the other moiety. Her plea was, that ſhe found it, and therefore imagined it was lawfully hers; but that weak excuſe did not ſerve her turn.

*Thomas Underthorp* was Indicted for having Two Wives, *viz. Elizabeth Toogood*, whom he Marryed at *Dukes-place*; and *Dorothy Martin*, which he ſince Marryed in *Worceſterſhire*, with whom he had a competent Portion. Both the Marriages were proved againſt him by ſeveral perſons, the former by the man that gave him in Marriage, and by ſeveral others, the latter by the Woman herſelf, who appeared in Court, the former not appearing, but upon proof ſhe was alive, he was Convicted of the Felony.

*John Bully*, a Popiſh Prieſt, was brought to the Barr, and his Indictment read. To which he pleaded he had been Tried for the ſame Fact at *Lancaſter*, in *Auguſt* laſt, and that he ought not to be Tryed twice for the ſame. But in that the Opinion of the Court over-ruled him, intimating, that this Indictment being laid for his being a Prieſt, in *October* laſt, he might ſince the former have taken Orders from the See of *Rome*. Whereupon he had direction

to get Council, and put in his Plea, and Time allowed him for that purpoſe; but when he was brought to the Bar again, he made a long Apology, alleadged as before: So that at his humble Requeſt, the Court thought fit to continue him untried till next Seſſions.

The Counteſs of *Portland* being brought into Court in her Sedan, having been a long time ſick, deſired to Traverſe her Indictment for Recuſancy, the which was allowed.

At this Seſſions there were Nine Perſons that received Sentence of Death; viz. *Katharine Nevil*, *Eliz. Wiginton*, *Anne Dicher*, *Anne Carter*, *Dorothy Mathews*, *Blanch Thomas*, *Philip Demerry*, *Tho. Wicks*, and *James Dixon*. Ten Burnt in the Hand. And Five to be Whipped.

*FINIS.*

AN

# ACCOUNT

OF THE

# Discovery and Siezing

OF

# Mr. Harrison, and Mr. R——;

On the Account of the

## Murther of the late Doctor *CLENCH.*

WITH

A Relation of the Examination, *&c.* of One of them, and of his Commitment to *New-gate* last night, the 6*th.* Instant.

DOctor *Clench*, having been most Barbarously and Inhumanely Murthered, by *Two Ruffins*, in a Coach, going towards *Aldgate*, on *Monday* the *Fourth* Instant, about *Eleven* at Night:

Now, it being generally supposed, by all the Doctors Friends, that the Villains were instigated to Commit this Notorious Fact, more out of Malice and Revenge, than any Real Design as to Profit, on the Account of *Robbing* of Moneys, *&c.* Upon which, mature Consideration was taken, What Persons had any *Quarrel* with the *Doctor* (himself being, in his Life-time, known to be a very Peaceable, Innocent, and Inoffensive Person:) Upon which the following Concern came fresh to Memory; *viz.* The Doctor having, a considerable time since, Lent a certain Gentlewoman a Sum of Money, on a Mortgage, and afterwards calling in his Monys for divers Reasons, the Thing being but for the Gentlewomans Life, that the Mortgage was upon, and for Non-Payment, neither of the principle Money, nor Interest, the Doctor proceeded at Law, and in time procured the Rent being paid to him; upon which one Mr. *Harrison*, who was a Friend, and as some say, kept very Familiar Company with the Gentlewoman, going to demand the Rent, and they refusing Payment, saying, it was now Doctor *Clenches* right to Receive it; upon which he was heard to say, G—damn him, he would speedily be Reveng'd on the Doctor, and cure him of Receiving of it, or Words to that effect; and, as 'tis said, in other companys lately he has been heard to say, he would be the death of the Doctor.

A Warrant being granted for the Apprehending of this Mr. *Harrison*, and one Mr. *R*—, who is supposed to be the said *Harrisons* Accomplice in the Murther, they were both taken yesterday, by Constables, Tipstaves, *&c.* the former after a long and diligent search (he often changing his Lodgings, taking new Lodgings, on *Saturday* last,) was taken near *White-Fryers*; the latter at his own house.

Mr. *Harrison*, being brought before the Lord Chief Justice, and the Coachman, who drove the Coach when the Doctor was Murdered, being sent for and present, Depos'd, That he verily believ'd, *Harrison* to be one of the *Ruffins*, but that he had then Black Cloaths on; but now was in Coloured.

*Harrison* being Examined to give an Account, where he was from *Nine* to *Twelve* a Clock on *Monday* night; said, He was at a Widow-womans Coffee House near *Fleet-Street*; but she being sent for, Declared, *That he was at her House not above half an hour*; which, as she said, was from half an hour past *Eight* till *Nine*, or thereabouts; tho' he before alleadg'd, that he was there Three or Four Hours; he likewise Alledged, that he had not seen Doctor *Clench* for many Weeks before, though it was proved that he had been with him but a few days before.

In short, *Harrison* giving but a very slender account of himself, and there being very Corroborating Circumstances fixed upon him, the Lord Chief Justice committed him to *Newgate* that Night.

This Mr. *Harrison*, was formerly Clerk to Serjeant *Ottwy* of *Grays-Inn*, but has been known to be a Person of a very Lew'd Conversation for several years last past.

Licensed according to Order.

# A C C O U N T

OF THE

# Discovery and Seizing

OF

# Murderers, and Mr. ——

Murder of the late Doctor [illegible]

WITH

A Relation of the Examination [illegible] of their Guilt, and of his Commitment to Newgate, [illegible] the 24th Instant.

DOctor Clerk, having been most barbarously and inhumanly Murdered, by Two Ruffians, in a Coach, going to Hendon, on Monday the [illegible] Instant, [illegible] the Villains who [illegible] Doctor Friend, by all the Devices [illegible] that [illegible] one of Malice and Revenge, [illegible] on the Account of Robbing of Money, [illegible] Watches, [illegible] Purchase [illegible] and [illegible] Life-time, [illegible] Death which the following Concession [illegible] a certain [illegible] Sum of Money, on a Mercenary and [illegible] for the Doctor [illegible] for the Gentlewoman's Life, [illegible] the Mortgage was upon; and for Non-Payment, neither of the principle Money, nor Interest, the Doctor proceeded to Law, and in time procured the Rent being paid to him: upon which one Mr. Harvey, who was a Friend, and as [illegible] kept very Familiar Company with the Gentlewoman, pretending to demand the Rent, and they refusing Payment, saying, it was now Doctor Clerk's right to receive it; upon which he was heard to say, Damn him, he would plead by the Revenge on the Doctor, and cure him of Recovering of it, or Words to that effect; and, as 'tis said, no other company's lately he has been heard to say, he would be the death of the Doctor.

A Warrant being granted for the Apprehending of the Mr. Harvey, and one Mr. R——, who is supposed to be the said Harvey's Accomplice in the Murther, they were both taken yesterday, by Constable, Tipstaves, &c. the former after a long and diligent search (he often changing his Lodgings, taking new Lodgings, on Sunday last) was taken near Hare-Street; the latter at his own house.

Mr. Harvey being brought before the Lord Chief Justice, and the Coachman, who drove the Coach when the Doctor was Murdered, being sent for and present, Deposed, That he verily believ'd Harvey to be one of the Ruffians, but that he had then Black Cloaths on; but now was in Coloured.

Harvey being Examined to give an Account, where he was from Five to Eleven a Clock on Monday night; said, He was at a Widow-woman's Coffee House near Piccadilly; but the being sent for, Declared, That he was at her House but half an hour; which, as the Fact was from half an hour past Eight till Nine, or thereabouts, the Jury alledged, that he was there Three or Four Hours. The Widow Alledged, that he had not been Doctor Clerk's House for many Weeks before, though it was proved that he had been with him but a few days before.

Mr. R—— giving but a very lender account of himself, and there [illegible] Circumstances [illegible] upon him, the Lord Chief Justice [illegible] to be a Fact on [illegible] Night.

Mr. [illegible], was formerly Clerk to Sir [illegible] of Broad-Street,

R. Fawster, alias Page, alias King (J.) 1



515. L 2

The Manner of the

# EXECUTION

Of Eleven

# NOTORIOUS OFFENDERS

Who received Sentence of Death at the

# SESSIONS-HOUSE

IN THE

# Old-Baily,

On the 8th of this Instant *December*,

For Robbing on the Highway, House-Breaking, and other Capital Offences.

TOGETHER,

*With an Account of their Penitent Behaviour in* Newgate *after Condemnation, and their last Sayings at the Place of* Execution, *all very Remarkable and worthy the Observation.*

NOtwithstanding the frequent examples of Justice upon offenders, yet so hardned are those wretched Miscreants for the most part, that terror has not power to opperate on their stuped Reasons, but the more ruin threatens them, the more they seem hardned, not regarding a future state, till they stand Tottering on the utmost Verge of Life, nor are many of them then so concious as to look towards Eternity, being hardned in Guilt, by perpetrating reiterated Crimes, which by often use, become a Second Nature, yet ought they to be pittied especially upon their Exeunts to another World; but not to dwell long upon the Introduction, I shall proceed to what is material as to matter of fact, and give the Reader an account of the behaviour and suffering of these Miscreants, whose Egregious Crimes hasted them to an untimely End.

*John Fauſter*, alias *Page*, alias *King*, an Old offender, ſeveral times Tryed for his Life at the Seſſions holden in the *Old-Baily*, for the City of *London* and County of *Middleſex* and Goal delivery of *New-Gate*, being ſome time before the Seſſions, ſent up from the County Goal of *Surum*, by virtue of a Writ of *Habeas Corpus* in Order to his being Tryed, an Indictment was prefered againſt him for a Robery upon the High-way upon the perſons of *Samuel Doughty* and *Andrew Meal* from whom he, together with his accomplices took a Horſe, Mony and other things to a conſiderable Value, he pleaded not Guilty, but full Evivence being given to the Jury, they found him Guilty of the Fellony and Robbery: there was alſo another Indictment found againſt him for ſetting upon one Mr. *Tibber* a ſmall diſtance from *Malbouraugh*, and taking from him ſuch Monys as he had, which was not conſiderable, as alſo a Horſe Valued at five pounds.

His Companions in the aforeſaid Robberys, who took their Tryals at the Seſſions aforeſaid, were theſe following, *viz. Richard Brown*, *Thomas Harris*, alias *Piget*, *Henry Hayfield*, and *John Davis*, who were upon the ſame Evidence found Guilty, though they objected many allegations in their own behalf, being all Luſty young Men, ſome of them 'tis ſaid having formerly Lived well in the World upon their Induſtry in honeſt Imployments, but the World frowning, and they not having the fear of God before their Eyes, fell into deſolate Company which brought them to undertake ſuch Evil courſes.

After they were Convict, and had received Sentence of Death, they ſeemed much dejected as being deſirous of longer Life, ſome of them greatly Lamenting their untimely End and earneſtly begging Tranſportation.

*John Hutching* an Old offender, having as the former been brought from *Chelmsford* Goale in the County of *Eſſex* by Writ of *Habers Corpus* as having committed the Robbery in this County, Robing one *William Johnſon* of a Steel Box, a Handkercheif and Five pounds in Mony ſome conſiderable time ſince between *Miling-Green* and *Bow* upon the Road.

The Indictment being Read, he pleaded not Guilty, as likewiſe did his Companions who were with him in the

Robbe-

Robberys, *viz. Joseph Redwell*, alias *Redwell*, *Henry Pafet*, *Richard Kent*, and *Thomas Williams*, who being put upon the ſame Jury and the fact being ſworn, it being a light Night in which the Robbery was committed, and therefore the Priſoners the more taken notice of, as to their feature Linnaments and habit, and they not being able to give a good account where they were at the time the Robbery committed, nor indeed of their Life and Converſation they were all found Guilty and received Sentance with the former, and continued under the ſame Conſternation at the near approach of Death, knowing in the lateſt Exegent how to value time that precioueſt of things on this ſide Heaven

*Abraham Caſſeel*, and *Robert Maſon*, were Tryed, and upon full Evidence Convicted of Fellony and Burglary for Breaking into the Houſe of *Elizabeth Moreton* in the Night time at *Newington-Green*, and puting her in Corporal fear of her life, taking from thence likewiſe Goods to a conſiderable Vallue.

*Robert Maſon*, having three Indictments againſt him for Fellony, *viz.* for Robbing *John Ady*, *Daniel*, *Sitherdel* and *Robert Skemton*, all which appearing upon evidence he was Convicted upon each particular Indictment, having been an Old Offender, yet ſhewed the Barr much peneterce and promiſes of amendment, but too late, for not taking timely warning of Mercy, which had been indulgent toward him in hopes of his amendment was paſt, ſo that receiving the dreadfull Sentance of Death with the reſt of his accomplices, ſome of which he decoyed into the fatal ſnare he run, the ſame Eſq; being forced to undergo an untimely and Ignominious Death.

Theſe miſerable Wretches according to their Merits having Received Sentence to return from the place from whence they came, and from thence to be drawn to the place of Execution, and there ſeverally to be Hanged, by the Neck till they were Dead, were conveyed to the Hole in *Newgate* Loaden with Irons, whither for the Conſolation of their Souls and to fit them for another World, ſeveral Pious and charitable diſpoſed Miniſters Reſorted, giving them ſaving Council, and ſuch Inſtructions as were moſt Suitable to their deplored conditions; earneſtly Exhorting them to Repent of their former Sins, and

by

by Faith to lay hold on the Merits of Christ our Blessed Saviour, who at the point of Death condescended to save the Thief upon the Gross, and therefore by having a lively Faith and confidence in him they need not doubt of Salvation even at the last Period of their Lives, for God is a God of Mercy and with him there is nothing Impossible.

These and such like Pious Exhortations wrought upon them so far as to make them bewail their past offences, and by Tears and Earnest Supplications, seek God whilst they were yet in a State of Mortality, that so when Death had made a Seperation, their Souls might find a Habitation of Rest

On *Tuesday* the Warrant for their Execution was brought to the Prison, and the next Morning the Sheriffs Officers came to Receive them at the Prison-Gate, in order to their Execution, where after their Chains were knocked off, they being brought Down, were put into the Carts that attended, and coming to St. *Pulchers* Church, had the usual Ceremonies Repeated to them, by the Bell-Man, and then passed on to the place of Execution, where Arriving, Mr. Ordinary and others Prayed with them, and again at the last moment of their Lives Exhorted them to call for Mercy, which several of them did, with Audible Voices, confessing that they had been Greivous Sinners, and in their Progress of uncontrouled Theivery, had wronged many Persons, but now all they could do was to ask them Pardon, not having wherewith to make them Restitution, and that for those and many other Heinous Sins Gods Judgment had overtaken them, or to this effect, then looking wishfully about some of them 'tis supposed expecting a Reprieve, they again Prayed, and held up their Hands in a Devout manner, till the Ropes being Tied up strait, and then in few words exhorting the People to take Example by their untimely end, they were turned off and committed to the mercy of the Righteous Judge of all the Earth.

*Entred according to Order.*

LONDON, Printed for *Langley Curtis*.

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THE TRUE

# NARRATIVE

OF THE

# EXECUTION

Of *John Marketman*, Chyrurgian, of *Westham* in *Essex*, for Committing a

## Horrible & Bloody Murther

Upon the Body of his Wife, that was big with Child when he Stabbed her.

TOo frequently do we hear of such Bloody Murthers acted by such Miscreants as have no regard to Gods Glory, nor the comfort of their own Souls; as may appear by this person whose Name was *John Marketman* a Sea Chyrurgian by Profession, a Ministers Son by Descent; and worse than a Tyrant for this his Bloody inhumane act, as by the sequel I will give you to understand, It happened not long since that this *Marketman* took to Wife one *Mary Inerlin*, with whom he lived some time in Content and Peace, but not long after suggesting to himself strange conceits of his Wife, began to be possest with Jealou-

 sie,

ſie, whether with or without juſt Cauſe, I refer it to thoſe who were better acquainted with her than my ſelf but yet I hope all rational people will allow that where Jealouſie once finds entertainment in the heart of any Man or Woman, there is little hopes of any quiet life, and often begets ardent deſires of ſecret Revenge, which oſtentimes launches forth into ſuch extreams, whoſe productions are miſerable and ends in Shame and Reproach as you may ſee by the abovenamed *Marketman* who not long ſince being reſtleſs in his Mind, and fearing leſt every time she was out of his Sight that she was in the Company of him whom he believed she reſpected far beyond himſelf, at leaſt was too familiar with, which Report ſays was a Bayliff living not very far from them, grew extreamly diſconſolate, and that which more grieved this already diſcontented Soul, was, that he oftentimes was affronted and jeered about the aforeſaid Bayliff, which he ſo evilly reſented that he gave way to the Temptation of Satan, who preſently infuſed into his heart deſire of Revenge, and did ſtrongly ſolicitate him to this prodigious Cruelty, which too ſoon he barbarouſly acted in manner following.

It happened one day that he came home very much debauched and diſtempered in Drink, which his Wife taking notice of, perſwaded him to lie down on the bed, which he accordingly did, and ſleep ſoon taking poſſeſſion of his drouſy Brain quickly became Maſter of his Senſes. In the mean time his Wife not doubting but that he was ſecure

for

for ſome conſiderable ſpace, went out and locked the door, intending to return e're his nap had been ended; but in the interim he awaked, and hearing no noiſe in the houſe, began preſently to make a bad Conſtruction of her abſence, and ſtarting up, looked about for her who was not there to be found, which ſo perplexed his Jealous mind, that he violently broke open the Door and went upon the ſearch for her whom he feared was accompanied with her friend, but not finding her there, he returned, where he found her at a Neighbours Houſe: Now began Satan to prompt him on to the execution of that he had predetermined in his mind, This poor woman who was big of her firſt Child, not dreaming that his paſſion was ſo violent that nothing could aſſwage it but the loſs of her own and her poor Babes life, and the letting out of her immortal Soul for the expiation of her ſuppoſed Crime, She I ſay when ſhe ſee her Husband abroad whom ſhe left locked up in the Houſe was ſomewhat amazed, but not fearing any harm went to him, who took her about the neck *Judas* like as if he intended to kiſs her, aand all on a ſudden thruſt his accurſed Knife into, if not through her poor Heart, ſo that ſhe fell down dead upon the floor, and that Soul wounding blow proved fatal to both Husband Wife and Child, for which Bloody and execrable Murther he was committed to the County Goal at *Chelmsford*, and there at the laſt Aſſizes received a juſt Judgment of Condemnation, and was ordered to be Hanged at the common place of Execution; but he on his bended Knees did beg as his laſt requeſt of the Judge, that he might be brought to the Town where he did perpetrate this wicked Act, there to be Executed according to his Sentence, which was Granted, and on the 17th. day of this preſent

ſent Month of *April* 1680, after a Sermon was Preached before him in the preſence of ſome Thouſands of ſorrowful Spectators, was lead to the place of Execution by his own Mother, who poor Soul drowned in Sorrow when ſhe came to the Gibbet fell in a Swoon, hardly to be recovered, and when he was upon the Ladder made a very long Speech to this purpoſe, That he had been very diſobedient to his too indulgent Parents, and that he had ſpent his Youthful days in Profanation of the Sabbath and licentious Evils of Debaucheries beyond expreſſion, and that he had been over penutious in his narrow obſervance of his Wives ways, deſirous that all ſhould pray to the Eternal God for his everlaſting welfare, and with many pious expreſſions ended this mortal life. That being ended, he recommended his Soul to the Almighty, and the Executioner did his Work.

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***FINIS,***

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# LETTER

From a MINISTER of the

# CHURCH of ENGLAND,

Communicated to the Right Honourable the

# LORD MAYOR:

RELATING TO

# Thomas White, alias Whitebread,

Who was lately Executed for HIGH-TREASON.

SIR,

IN Answer to your Request in two several Letters of yours to your Brother, that Gentleman you mentioned viz. *White* alias *Whitebread*, more than twenty years ago came to *Oxford* under pretence of a Jew converted by some Eminent Divine of the *Presbyterian* way in *London*. But in *Oxford* he pretended a farther light by joyning with and hearing at the several Churches and Sermons of Dr. *Thomas Goodwin*, Dr. *Owen*, and some others of the *Independent* or Congregational way; but not stedfast there long, (pretending the Apostles Rule to try all things), he fell to the *Anabaptists*, and then to the *Quakers*, amongst whom he challenges Dr. *Owen*, and several others for their Principles, in a Letter written in several Languages, so Learnedly, that it was thought worthy of consideration of the Learned Convocation there, by whom he was censured as a *Jesuit*, or some other Popish Seminarist; and thereupon Imprisoned in the Castle-Prison there, where he pretended a Distraction, and personated the Mad-man so exactly, that in few days some Friends of his procured his Liberty. I saw him several times running up and down the Streets, with his Hat under his Arm full of Stones, throwing at every small Bird he saw; but ere long I met him at a *Papist*-house, where I heard him discourse very gravely, learnedly, and discreetly, where I got not only an acquaintance with him, but familiarity, insomuch that several times in charge of Habit he came to visit me, and several other young Scholars in *Magdalen*-College: But at length being again suspected, and like to be apprehended, he got privately away for *London*; I brought him five Miles of his way, and so left him to his designs. In six Months after, business called me to *London*, where after a day or two I heard a Report of a famous Preacher amongst the *Quakers*, near *Charing-Cross*, and the same day met the same Gentleman (then so much famed) going to speak, in an old-fashioned Pincked Fustian-Jerkin, and clouted shooes, and Breeches faced with leather, and a Carters Whip in his hand, altogether disguised from my knowledg of him, but he knew me, and spake with me, and renewed our acquaintance. At present he went about his intended work, and the next day came to my Quarters in a neat habit of a *London*-Minister, and carried me to his Lodgings within the Precincts of the Middle-Temple, where I had a good Entertainment, and a view of several strange Habits, in which he disguised himself to the several sorts of people he insinuated himself into; I saw also his Orders from the *Roman* Court, and an Instrument wherein he was assured of, and ordered to receive of certain Merchants a Hundred Pound *Per Annum*, besides an yearly Pension of Eighty Pound *Per Annum* from his Father. I am sure he pretended he was born at *Wittenberg*, his Fathers name *John White*, and in his Writing he himself was stiled *Johannes de Albo* by the Court of *Rome*. He was both Jesuit and Priest in Orders; I went with him by Water and visited some Ships; and in one house in *Southwark* he Celebrated the Mass in the Popish mode to more than forty; the same day we visited several *Presbyterians* and others, and I continued in his Company by the space of a Month, when he was apprehended, and by a special Order from the then Protector Imprisoned in the Tower of *London*, where I endeavoured, but was not admitted to visit him. Two years after I understood by a friend of mine and his, that he was freed from his durance, within the space of six Months, and within these four or five years (as far as my friend and I could judg) tampering much with *Independents* in and about *London*; and was seen several times by a friend of mine at Dr. *Manton's* private Lectures in or near the Lord *Wharton's* House, still known by the name of *John White*. He spake as good *English* as any Native, and knew all Cities, Towns, Villages, Hamlets, (in a manner) in all or most part of *England*.

*SIR*, This is the sum of the Relation I made to your Friend: I bless God I was never nooſed in his snare, but rather confirmed in our Christian Principles. In which I pray God continue stedfast both you and

Your Loving Fr. &c.

# The diſtreſſed Mother:

OR,

# Sorrowful WIFE in TEARS:

Being a full and true Account of a moſt horrid, barbarous and bloody MURTHER, committed at *Chatham*, in the County of *Kent*, on *Tueſday* the 16th of this inſtant *September*, by one Mrs. *Katherine Fox*, a Gentlewoman, on the Body of her own Husband, and two young Children, by cutting their Throats from Ear to Ear; with the manner of her Apprehending and Taking, Examination and Confeſſion before the Worſhipful Juſtice *Bourchier*, and Commitment to *Maidſtone* Goal for the ſame.

ONE Mr. *Fox* of a plentiful Eſtate formerly in *Chatham* in the County of *Kent*, but through riotous Living had conſum'd it all in a few Years, inſomuch that he was reduced to a very low Ebb of Fortune, but on *Tueſday* 6th of this inſtant *September*, he went to a Publick Houſe to drink with his old Cronies that had Ruin'd him, where being moſt vehemently incenſed by loſs and miſchief, in ſo bitter and terrible a manner, did he Beat his poor Wife, who came to ſeek Relief from his hands, for her, and her poor Children, in the ſight of his drunken Companions, that as he thought, he had left her Dead, and paſt Recovery.

This deſolate Wretch at laſt returning to her ſelf, and repairing back again to her to her ſad ſorrowful Houſe, behold, two her young Babes, grievouſly oppreſſed with Hunger, with Tears in their Eyes, taught not to Speak by Age, but Miſery, required and deſired Suſtenance of her; *Mother*, ſaith one, *a little Food, or I die. Mam*, ſaith the other, and with piercing Signs Speaks the reſt, *Alas! poor Babes*, ſaith the Mother with bitter Sighs, *Where ſhall I get it? Your Father hath loſt his Patience, with his Wealth, and we our Hopes, with his Miſhaps: Alas! alas! what ſhall become of me, or who ſhall ſuccour you, my Children? Better it is to Die with one Stroke, than to languiſh in a continual Famine.* So preſſed by theſe Miſeries, and brought to this Deſpair, ſhe took a Knife in her Hand, and cut her Childrens Throats from Ear to Ear, ſetting her ſelf down purpoſely to Die, and periſh in her Sorrows.

Now her Husband returning Home the ſame Evening, laden with Wine, and more fit to take reſt than examine theſe Tragedies, caſt himſelf on his Bed, neither dreaming on his Loſſes, nor her Miſeries: Whereupon ſhe being urged by her preſſing Neceſſities, occaſioned through his willful Extravagances, ſeeing him faſt Aſleep, who regarded not her Afflictions, with the ſame Knife wherewith ſhe had Kill'd her Children, ſhe cut his Throat, the cauſe of her Confuſion; ſpeaking likewiſe thus boldly during the time of her Execution: *Thou ſhalt Die, thou negligent Man, ſince thy ill Government hath been the Ruine of me and my Children.*

But Day and Time diſcovering theſe Murders, Mrs. *Katherine Fox*, was on *Wedneſday* Morning, being the 17th inſtant, Apprehended by ſome of her Neighbours, and being charged with a Conſtable, ſhe was carried before the Worſhipful Juſtice *Bourchier*, by whom being Examin'd, ſhe confeſſed the bloody Fact; upon which ſhe was committed to *Maidſton* Goal, in order to take her Tryal for the ſame the next Aſſizes; and whither ſhe went with much Conſtancy, giving all the way ſhe was going to Priſon wholſome Admonitions to the numerous Spectators, which tended, *That Wives ſhould beware of too much Fury, and Husbands to be more circumſpect in their Families.*

*London*: Printed for [illegible] near *Billingſgate*.

# The diſtreſſed Mother:

or,

## Sorrowful WIFE in TEARS:

Being a full and true Account of a moſt horrid, barbarous and bloody MURTHER, committed at Chatham, in the County of Kent, on Tueſday the 16th of this inſtant September, by one Mrs. Hardwire Fox, a Cheeſewoman, on the Body of her own Husband, and two young Children, by cutting their Throats from Ear to Ear; with the manner of their Apprehenſion and Examination before the Worſhipful Juſtice Fleming, and Commitment to Maidſtone Goal for the fame.

H. 227.
K. Sharpe (J.) Abp of St Andrews
515. L. 2.
18

A True

# RELATION

Of what is Discovered concerning the

# MURTHER

Of the

# Archbp of St. Andrews,

And of what appears to have been the Occasion thereof.

ONE *Lovel* of *Cunuchie*, being Vassal to the Bishoprick of St. *Andrews*; the late Archbishop, upon the account of some few duties resting to him, did gift to his own behoof, the *Escheat* of *Lovell* of *Cunuchie*, in prejudice of his numerous family and many Creditors. One *Haxstoun* of *Rachillet* being one of these Creditors, and at that time a Favourite of the Archbishops, prevails with him upon his giving Bond to the Bishop for 1000*l. Scots*, or thereby, to assign the gift in his Favours. Thereafter the Archbishop conceiving prejudice against him, Registrates *Haxstouns* Bond, surprises

 him

him at St. *Andrews*; having called for him, takes him with Caption, and keeps him Priſoner in St. *Andrews* for ſeveral months, until one Mr. *Falconer* a Conform Miniſter obtains his liberty. But *Haxſtoun* having ſtronger reſentments of his Impriſonment, than of the liberty to which he was reſtored, at his liberation in preſence of witneſſes, Vowed and Swore, *God-dam-him if ever he went to Church as long as there was a Biſhop in* Scotland; *And that if he lived he ſhould be revenged on the Biſhops perſon.*

This *Haxſtoun* was a vile perſon, had nothing of good in him, and was ſcarce admitted to the Society of Sober-men; He was not once only a Favourite, but ſervant of the Biſhop, having Collected part of his Rents. However now the Archbiſhop (who was enemy to any thing that had intereſt in *Haxſtoun*) Commands Captain *Carſtairs*, *Garret*, and one *Scarlet* a Tinker, to apprehend *John Balfour* of *Kinloch*, brother-in-law to the ſaid *Haxſtoun*, (no Presbyterian, though an enemy to the Biſhop, upon the injury done to *Haxſtoun* his brother-in-law) who reſiſted the ſaid *Carſtairs*, and wounded ſome of them; And thereupon was cited before the Council, (though *Carſtairs* had no Warrant to apprehend him, only to gratifie the Biſhop), where not daring to appear, he is denunced and intercommuned, and made a ſtranger to his own Houſe for two Years; wherewith, and with the robbing and ſpoiling committed by Bailiff *Carmichel*, the ſecret Councils Sheriff depute in *Fife*, The ſaid *Haxſtoun* and *Balfour*, being inraged and inflamed with the deſire of revenge upon the Archbiſhop, they

they did upon the third of *May* inſtant, with eight or nine other Ruffians, (three of them called as they ſay, *Balfours*) wait his return from *Edenbrough* to St. *Andrews*, and there near a houſe called *Magus*, in an open Muire, and within two miles or thereby of St. *Andrews*, they purſue him; the Coachman and Poſtilion perceiving, advertiſes him, and drives with all their might to eſcape; So that for near three quarters of a mile they could not overtake them. At laſt *Balfour* and *Haxſtoun* being better mounted than the reſt, *Balfour* comes up with the Poſtilion, commands to ſtop, and he refuſing, ſtrikes him over the face with his Sword, diſmounts him, and diſorders the Coach-horſe; *Haxſtoun* comes to the Coach and Fires ſeveral Piſtols at the Biſhop; but none of them, although they hit his body, did pierce him; they pierced through his Clothes, but left only blunt marks upon his body, ſomewhat like to burning.

Whereupon *Haxſtoun* drags him out of his Coach, ſtrikes him over the left Eye with a deep wound, who thereupon fell, and gave him ſeveral other mortal ſtrokes upon his head, and cuts in his arms, rifles his pockets, and his Daughters (who was with him in the Coach) of their Gold Watches and Papers, diſarms his ſervants without hurting any except the Poſtilion, who was wounded at firſt; and that his Daughter received a wound on her thumb, graſping to ſave her Father; and then flee all together.

This is the accompt both of the perſons, the occaſion of their wicked act, and the circumſtances of the act it ſelf:

Which

Which is discovered and made known by the Examination of the Bishops own servants upon Oath, and a servant of the house near the place where the fact was done, where *Haxstoun* and *Balfour* left their Coats before they attacked the Bishop; and after it was done, came and brought them away.

The Bishops servants depone, That a man mounted on a bay Horse stroke the Postilion and turned the Coach; and that he mounted on the white, dragged the Bishop out of the Coach, and killed him with his Sword.

And the servant in the House depones, That it was *John Balfour* of *Kinloch* was mounted on the bay Horse, and *Haxstoun* that was mounted on the white. That these two persons had a personal spite and hatred at the Bishop for the causes before, all know, and the Records witness. That the Bullets did not pierce his body, was seen by the Chyrurgeon, *William Borthwike*, who was sent by the

FINIS.

A

# True Copy of the Paper

DELIVERED BY

515. l. 2.
14

# JAMES CLOUGH,

*Who was executed on* Friday *last at* Tyburn *to his Friend at the ſaid place of Execution.*

BEING informed that a Report is ſpread, that I have confeſſed my ſelf guilty of the crime for which I am to ſuffer Death; I thought it neceſſary before I leave this World, to make this following Declaration. And therefore I do in the preſence of Almighty God, ſolemnly and truly declare, that I am not (nor have at any time whatſoever confeſs'd my ſelf) guilty of that Crime, nor can I give any account how the ſame was committed: but ſince the Jury thought fit, on the evidence that was given, to find me guilty, I patiently ſubmit to the ſentence paſſed on me: There being ſeveral material circumſtances given in evidence againſt me, by Mr *Pain* and others, which were untrue, I have ſet forth that part of the evidence in the following manner: firſt Mr *Pain* ſwore, that in the morning before the unhappy accident happened, he obſerved me to be out of temper, which he imagined to be occaſioned by a young man being in company with the deceaſed, who was her ſuppoſed ſweet-heart. If Mr. *Pain* did really believe that to be the cauſe, I do aſſure him, that he was very much miſtaken; and that I was not angry or out of temper with her or any perſon whatſoever. It was ſworn, not only by Mr. *Pain* but other, that I was in the room for the ſpace of four minutes with the deceaſed, before I call'd out for aſſiſtance, which I believe was the greateſt inducement to the Jury to find me guilty, becauſe the Surgeons ſwore, that no perſon could live above one minute and a half after receiving ſuch a wound, as was given to the deceaſed; and from thence I preſume it was inferr'd, that I was the perſon that gave the deceaſed the wound: This evidence, as to the time, I aver to be untrue, for I am certain I was not there one minute: No ſooner did I enter the room, but the deceaſed told me ſhe was dying, I went that inſtant to ſupport her, and at the ſame time call'd Mrs *Pain*; ſo that from the time of my going into the room, to the time of Mrs *Pain*'s coming in, I am well aſſured could not be the ſpace of one minute. As to the blow that was ſworn that I gave the deceaſed in

the

the morning with a poker, I admit to be true, but it was done only by way of joak; for I cannot but think, that the Perſon who ſwore it, believed the ſame. It was ſworn, that the deceaſed when ſhe went dow into the cellar, did not carry any knife down with her, or bring any up; what particular obſervation was made by the witneſſes when ſhe went down or came up, I can't tell; but I do aver, when I ſaw her in the cellar, ſhe had a knife in her hand and upon my being ask'd how the fact was committed, I own I ſaid, that I ſaw the deceaſed in the cellar with a knife, but did not thereby mean to inſinuate, that ſhe committed the fact herſelf there. As to the knife being plac'd in a regular manner among the other knives on the table, and that diſtance from the deceas'd as ſworn, I can give no account of nor whether the knife procuc'd in court was the knife with which the wound was made: if what theſe witneſſes have ſworn, is contrary to the dictates of thsir conſciences, I hope God will forgive them, as I heartily do. Mr *Pain*, ſince my confinement has been very induſtrous in aſperſing my character, particularly he has been ples'd to declare, that I have been before in *Newgate* for a robbery, which is a great falſity, and if any one is deſirous to be ſatisfy'd, as to the truth of my aſſertion, may by enquiring at the goal, be convinced of the truth of it. I muſt confeſs this unkind uſage of Mr *Pain* has given me ſome uneaſineſs, but as I expect forgiveneſs from almighty God for all the ſins I have committed, ſo heartily forgive him and all others, who have done me any injury; and hope for like forgiveneſs from all thoſe whom I have injured. I hope this my ſhameful and untimely end will not be any reflexion on my relations. I confeſs my ſelf to be a great ſinner, but as I am conſcious to my ſelf, that I am innocent of the crime, foe which I am to ſuffer, my burthen is much the lighter.

JAMES CLOUGH.

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Printed T. PAINE, at the *Crown* in *Ivy-Lane*, ( Price 2*d*. )

D: 214

A Full and True

# ACCOUNT

Of the Apprehending and Taking of

# Mrs. Sarah Moordike,

*Who is accuſed for a Witch.* Being *taken near* Paul's *Wharf, on* Thurſday *the* 24*th of this Inſtant, for having* Bewitch'd *one* Richard Hetheway, *near the* Faulken-Stairs *in* South-wark.

*With her Examination before the* Right Worſhipful *Sir* Thomas Lane, *Sir* Owen Buckingham, *and Dr.* Hambleton *in* Bow-lane.

IT happened that Richard Hatheway, *who is known to be a Servant of Mr.* Thomas Welling's, *who went ſome time paſt to clap on, or fix a Key to a Lock, for Mrs.* Sarah Moordike, *the Wife of one (commonly call'd by the name of* Moll Dike, *a Water-man, plying at Paul's Wharf in London, when at the ſame time, ſhe and her Husband had divers Words together; whereas the ſaid* Moll Dike (*her Husband*) *took ſome Linning out, which was his firſt Wive's, and ſo went over the Water; which ſhe ſeeing, ſaid, Then I will carry out mine, and make away with it: So accordingly carried it out; but ſaid, I will have a Key as well as my Husband: He having took the Key of the Door along with him. Upon which ſhe went to a Neighbour's who was a Black Smith, to accompliſh the ſame; but not being within, ſhe went to Mr.* Thomas Willing's, *living near the Faulken in Southwark, who inſtantly ſent his Apprentice* (Richard Hatheway) *to do the ſame, and accordingly he did ſo, but no ſooner had he done, but ſhe, the ſaid* Sarah [illegible]ike, *ask'd him to Drink, which he denyed, but by much importunement he did: When [illegible] he was taken ill, inſomuch that he could Eat nor Drink, or do any Work; but in ſmall time, grew altogether uncapable of doing his ſervice for his maſter, and ſo continued for many months; during which time, he was part of it under the hands of ſeveral Doctors and Chyrugeons in St.* Thomas's Hoſpital. *But all the time of his continuance, they could work nothing of a Cure on him; then he was turn'd over by his Friends to ſeveral others who could do no more than the former did. But at length, thinking upon ſome Words of what ſhe was heard to ſay, they cauſed her to be brought to him; and notwithſtanding he had Eat nothing for ſome time, neither could he Drink, inſomuch, that at length, he became a meer Shadow, but when ſhe was brought, he Scratcht her, by which means he draw'd Blood; And having been blind for a conſiderable time, Faſted, and what not, he inſtantly could ſee any thing, and eate as heartily as ever; as alſo went to Stool, as though he had eat all the Victuals in Town, but when his excrements came forth, there was obſerved ſeveral Pins in it.*

*Upon which they went to one who ſeemed to have ſome ſkill, ſhe dwelt in Goodmans-fields; ſhe adviſed him to Piſs his Water in a Stone Bottle, which they did accordingly, the Young-man being preſent, who could ſee at that time the bottle burſt and flew in ſeveral pieces; and notwithſtanding none of the pieces toucht him, he was inſtantly ſtruck blind, to the admiration of all that ſaw it. All which having been done, he lay as before for many Weeks and being in ſuch a woful condition, was to Scratch her a ſecond time, which he did perform by the help of ſome Neighbours, and was alſo delivered to his ſight as before. At which time he could both eat, drink, ſee and and talk, as well as ever; and altho' he had eat no Victuals for ſome Weeks, he voided excremen with ſeveral Pins.*

*So he continued well for ſome time, but at length grew as bad as ever, when at the ſame time* mr. Parrot *a Boat-Builder was taken in as bad a manner, tho' not altogether ſo ſtrange; as likewiſe the Child of one* mr. Swan *dwelling near the ſame place, all which made the whole Neighbourhood [illegible] her to be the Perſon guilty. Therefore [illegible] accordingly carried, or otherwiſe [illegible] Scratch her, which he did, and no ſooner had he done it, but he was as well as before, tho' in a little time after was back again. And a third time being ordered to do as before, he did it, when at the ſame time having ſcratch her, he became well ſeemingly to the World, altho' he did not continue ſo long, but that he fell into the ſame condition as before; and it was obſerved that ſhe ſaid at that time, That her Blood ſhould do him no good, but rather worſe: And indeed, as ſhe ſaid, it did for the Boy continued as before, and rather worſe, being left off as Incurable by ſeveral Doctors; whereupon ſeveral of the Inhabitants took upon them to inſpect more into his Condition, more eſpecially one*

*several of the Inhabitants took upon them to inspect more into his Condition, more especially one* Mr. Smith *a Lighter-man, and* Mr. Richard Oldner, *eminent men, and Officers of the said Parish, who took upon them to prove whether it was a Cheat or not; whereupon on Saturday the 12th of this instant April, 1701. they caused him to be put into an empty House, where they had provided good Bedding, as also Watch-men to take turns to watch him, both Night and Day, the Officers themselves keeping the Key, that no one should go into him Night or Day, but the said Watch-men, that were to discover the truth.*

### *Her Examination.*

Being carried before the fore-mentioned Sir *Thomas Lane*, she was Examined as to the Fact; which she denyed. Whereupon several Evidences appeared against her, and Deposed, That she had privately been reputed a Witch for many Years. And another deposed on Oath, That [illegible] the time of her Service [illegible] do him no Good, but [illegible] worse. Another [illegible] on Oath, That she [illegible] with a Stool which was [illegible] which [illegible] was several Pins, and [illegible] ly so, but that she [illegible] Scratch her, when soon after he [illegible] and Drank notwithstanding he had not Eat for some time before, having been look'd after by several People.

Another said he was a Watch-man, employed by the Officers of the Parish; and had Watch'd with him by turns, from *Saturday* the 12th to *Saturday* the 19th: During which time, he see him Eat nor Drink [illegible], and that it was reported, [illegible] at nothing for many Weeks before. But on *Thursday* last, he see him void Five Pins out of his Mouth. On *Sunday* the 20th, he likewise see him void two more. But on *Friday* last, several Eminent Persons went to see him, especially one Mr. [illegible] Oldner Church-warden of St. [illegible] who desired him to drink a Glass of Comfortable Water, and as he was drinking of it, it flew out of his Mouth with great force; and for a truth, it is alledged, he has not Eat nor Drank in nine Weeks time. All which being proved against her, and the Witnesses sworn, it was desired that the young Man (which was the Object) might scratch her again, and he did accordingly, and altho Dr. *Hambleton* had by several means, to make him Eat and drink before, he could not. But having scracht her in presence of them all, he presently call'd for Victuals, which was immediately brought to him by the Justice's order, *viz.* Sir *Thomas Lane*, being no otherways then bread and cheese, which he [illegible] for. And it was observed, that he at the same time Eat more than an ordinary Man had eat in three days, and still continued craving for more. At the same time Sir *Thomas* ordered him into a Room both, two or three persons, when in his going, he made a considerable deal of Water in his britches, and a small time after voided, a little Excrement.

It was observed, that when he was going to Scratch her, she desired he might not Scratch her Face; as likewise that some Body would be bound that he might not Scratch her any more all which was not granted to her, but only that he should not touch her Face. As likewise she was heard to say, *the same time that he would be well when had Scratched her*; and accordingly he was soon after he desired some Food, which was brought to him, these Circumstances and others caused her to be Committed to Gaol, in order to Receive a further Examination and Tryal.

And as she was going it was observed, she said she would be Reveng'd on several of them, *&c.*

*Licensed according to Order.*

*London*, Printed for *John Allin* near *Fleet-street*,

A Full and True

# ACCOUNT

of the Tryal, Examination, and Proceedings against Mr. *JOHN MAUGRIDGE* a Kettle-Drummer, who was on *Saturday* the 14th of *December*, Try'd before the Twelve Judges at the Hall in *Serjeants-Inn* in *Chancery-Lane*, upon a Special Verdict, for the Murther of Captain *Cope* on the Guard at the *Tower*.

*Licenſed according to Order.*

WHereas Mr. *John Maugridge*, of the Pariſh of *Alhallows Barking*, Kettle-Drummer, was Indicted at the Seſſions in the *Old Baily*, held there in *July* laſt, upon two Indictments, the firſt at Common Law, and the 2d upon the Statute of Stabbing, for the murther of *William Cope*, Gent. on the 17th of *June* laſt, by giving him one mortal Wound on the Left part of the Breaſt, near the Left Pap, of which he inſtantly died. The Evidences were ſeveral againſt him; however the Jury acquitted him of the Statute of Stabbing, and found a Special Verdict. Whereupon Sir *John Cope*, the Father of the Deceaſed, intending to have an Argument by the Queen's Council againſt the Priſoner, at the Queens-Bench Bar at Weſtminſter, and *Maugridg*'s Council alledging there on the 22d of November, the Priſoner had not timely notice of appearing, he was ordered to appear again there on the 27th of November following, and then the Court was pleaſed to defer his Tryal to Saturday the 14. of December, to be argued at the Hall in Serjeants-Inn in Chancery-Lane; when the Kettle-Drummer being accordingly brought thither, the Caſe upon the Special Verdict was opened againſt him, and the Queen's Council Learnedly inſiſted upon ſeveral good Reaſons, that the Priſoners Fact was wilful murder: Firſt, upon the Account of impudently Abuſing and Affronting the Gentlewoman that came to ſee Captain *Cope*, by calling her ſeveral odious Names, and throwing Biskets in her Face: Secondly, for Knocking Captain *Cope* down with a Bottle, for only deſiring him to abſent the Company, ſeeing he was Fractious: Thirdly, for Aſſaulting a Captain on the Guard, doing then his Duty for the Queen: And Laſtly, Baſely running Captain *Cope* through the Body over Captain Martin's Shoulder, when that Gentleman had him in his Arms, in hopes of pacifying the Quarrel; ſo that by his outragious Actions, the Priſoner was wilfully bent upon Murther all along Now the Council for *Maugridge*, inſiſted that between the Priſoner's drawing his Sword and giving the Stab, Captain *Cope* flung another Bottle at Maugridge; from whence they would infer, That where Blow was returned for Blow, it was only Manſlaughter. To which the Queen's Council reply'd, That at that rate a Man muſt never be guilty of murther, unleſs a man can be ſo tame a Coward, as to ſuffer another to cut his Throat before his Face, without reſiſting the Aſſaulter: And furthermore made out, that if a man ſhould Aſſault another as going along the Streets, without any provocation, and the man aſſaulted having Courage, Draws and Fights the man that aſſaulted him, ſo courageouſly, that he drives him up againſt the Wall, or ſome other place, that he muſt either Kill or be Killed, and it is the Aſſaulters Fortune to Kill him that is Aſſaulted; yet nevertheleſs, his Crime comes not within the Benefit of *Se Defendendo*, nor Manſlaughter, but is actually Wilful Murder, becauſe he was the Original Occaſion of all thoſe Inconveniences which attended his Wilful Raſhneſs. So after a long Argument of the Council *pro* and *con* on both Sides, their Lordſhips were pleaſed to appoint the ſecond Day of *Hillary Term* next, for giving their final Opinion of the Arguings on the Special Verdict, as entred by Council, both on behalf of the Priſoner and the Deceaſed.

*London*: Printed for *T. Bland*, near *Fleet-ſtreet*.

# A LIST

K. Hamilton 1st Duke of Hamilton

OF THE

## Names of the Iudges of the High Court of Iuſtice, for Tryall of *James* Earl of Cambridge, *Henry* Earl of Holland, *George* Lord *Goring*, *Arthur* Lord *Capell*, and Sir *John Owen* Knight.

Appointed by an Act of the Commons of England in Parliament Aſſembled.

### The Iudges of the Court.

515. L. 2. 17

*IOhn Bradſhaw* Serjeant at Law.
*Rich. Keable* Serjeant at Law.
*Fo. Pulliſton* Serjeant at Law.
*Matthew Shepheard.*
*VVill. Underwood.*
*Io. Hayes.*
*Geo. Langham.*
*Io. Langley.*
*Sam. Moys.*
*Morris Tompſon.*
*Richard Shute.*
*Mark Hilderſley.*
*Thomas Allen.*
*Daniell Taylor.*
*Edmund VVarring.*
*Nathaniell Lacey.*
*Io. Stone.*
*Cornelius Cook.*
*VVilliam VVybeard.*
*Io. Blackwell* Eſquire.
*James Prince.*
*Nathaniell VVhettam.*
*Silvanus Taylor.*
*Thomas Ayres.*
*Edward Creſſet.*
*VVilliam Penoyre* Eſquire.
Sir *Edward Barkham* Barreſter.
*Ralph Harriſon.*
*Maximillian Beard.*
Sir *VVilliam Roe.*
*Fra. Hacker* Eſquire.
*Io. VVhiby.*
*Iohn Harriſon.*
*Richard Downes.*
*Sparrow.*
*VVilliam VVebb.*
*Thomas Cook.*
*Robert Titchborn.*
*George Manley.*
*George Cooper.*
*Owen Roe.*
*Thomas Pride.*
Io. *Huſon.*
*Thomas Sanders* Eſquire.
*Thomas Tutchborn* Eſquire.
*Thomas Andrews* Alderman.
*VVilliam Spence.*
*Nicholas Martin.*
*Joſias Barnars.*
*Hardwick.*
*Robert Norwood.*
*Steven Eſtwick.*
*Thomas Nowell.*
*Thomas Arnold.*
*Thomas Browne* Eſquire.
*Thomas Ayre.*
*VVilliam Barlet* Eſquire.
Sir *Io. Throughgood* Knight.
*Vincent Potter.*
*VVilliam Parker.*
*Sollomon Smith.*
*Hubberd* Eſquire.
Sir *Richard Saltingſtall* Knight.
*Sampſon Sheffeild* Eſquire.

You and every of you are required to appear upon Munday the fift of this inſtant *Febr.* in the morning of the Clock in the Painted Chamber at *Weſtminſter*, for the putting into execution an Act of Parliam the erecting of an High Court of Iuſtice for the trying and adjudging of *James* Earle of Cambridge, H of Holland, *George* Lord *Goring*, *Arthur* Lord *Capell*, and Sir *Io. Owen* Knight. Hereof the Sub ordered to give notice; and therefore deſire you not [illegible] herein. Given under our hands the of *Febr. Anno. Dom.* 1648.

LUKE ROBINSON. CHO. LOVEL I. SALLAND.

515. l. 2.
18



# *The chiefe Heads of Mr.* John Sares *Speech, and other passages at the time of his Execution at* West-Chester; *he being the portliest man the three Kingdomes afforded, whose Coffin was two yards and a halfe in length, yet too short to containe his Corps; he suffered the* 20th. *day of* October, 1651.

GEntlemen and Friends, I am here come, and now ready to pay and suffer that Death which my good God hath appointed for me, to his glory, and my owne good, humbly confessing the same due to me for my sins; I looke upon it as from him, though instrumentally by man.

I here heartily acknowledge, that I have spent the prime of my age too much in vain Company-keeping, and more then convenient drinking, which is incident to too many men, and the Mother and Nurse of all mischief.

And likewise have broken, and, which troubleth me most, despised that loyall knot of Matrimony; but I bless my God, I have after very much griefe of heart, remorse, and true sorrow for the same, and wrestling with my gracious and good God, through the merits of Christ and his intercession, obtained pardon, and received comfort.

But beloved friends, I am not sentenced by man, nor yet his power hath adjudged me to this Death, but God designed me to it; for this, nay this use I rather make of it, that the onely motives and chief cause of sentencing me to this end, is not the least grief or trouble to me, but rather occasions Alacrity, cheerefulness & comfort, that I am accompted worthy, although by the baselt of deathes, to suffer for my King; notwithstanding others of honor, have received noble deaths which could not be denyed them; yet it matters not the manner of the end, whileſt I have an alurance, that I, and all that have preceded me by what death soever, or shall hereafter suffer for the same cause, shall arive at the Haven of Celestial joy, and ever sing Haleluiaes to him that sitteth upon the Throne for evermore.

The word of God requireth, *Feare God, and honour the King*; in the former I have been too remiss and neglected too too often, the Lord forgive me; nay he will, he hath forgiven me: And for the latter, my obeysance to my Liege Lord, and Soveraigne King *Charles* the first, and after him, *Charles* the second; I was never censured, or in the least tainted; but you see sentenced by the contrary Party for the same: I was alwaies for them in life, and am so still, I dye for them; Nay I here professe, that if I had a head of Hare as big as *Absolons*, and every haire as strong as *Sampson*; And if I were to live as many *Methusalaes* lives as I have haires on my head, I would spend them all for the good and honor of my King.

Then he desired Mr. *Packe* to sing a Psalme, and after to pray with him, which done, he turned towards the Ladder, and seeing it somewhat too short; he said *Jacob* dreamed of a Ladder that reach't up to Heaven; what this Ladder wants in length, I hope by the support of Gods Spirit, and his holy Angels, I shall be convayed and carryed to Heaven, and be brought to my happy journeyes end. Then he gave a Gratuity to the Executioner: and as he went up the Ladder, he intreated his Friends not to weepe for him, saying he was full of inward comfort. But he desired all to pray for him, saying he forgave all the world, and those that had a hand in bringing him thither; declaring himselfe in these expressions, they intended evill to me, but they have done me much good in taking me out of a sinfull World, and out of a distressed Kingdome, and from a distracted people, and sending me sooner to the Haven of hapinesse, the haven of eternall and everlasting rest.

Now some may imagine, that death doth worke a terror and feare within me, and that I am affaid to dye; I must confesse the last night, the feare of death, and the amazement it brought unto me, and loathness to leave this World, troubled me very much; But I blesse my God, I was comforted, incouraged, and well resolved before the day appeared, that I durst looke Death unlauntedy in the face; and as I trust God with my Soule, so I leave and commit my Children to his Gracious and Fatherly protection: All that's mine I leave unto them, hoping of Gods goodnesse and blessing upon them, desiring the same with my soule.

I ever have lived, and dye a Protestant, and so farre as I ever conceived and verily believe, the late King, as also this, were ever Protestants, and stood for the Protestant Religion: and therefore I was for him who is not; and for him, for whose cause I now dye, praying to God to blesse him whereſoever he is or goeth.

And now good Souldiers I thanke you for your civilities towards me, and I intreat you to see that my poore Son, and the rest of my Children may not suffer after me, or on this manner, but let them have what is mine.

And looking towards his acquaintance, he said; I desire you to remember me to my deare Mother and all my Friends, I pray God blesse and comfort her, and all them.

Then he said to the Executioner, friend, when I hold up my hands, doe thy Office; and as he put the Rope over his head, he with expressions of joy said; what a Gallant morning Ribbon is this which I weare for the sake of my King.

Then he made many short heavenly ejaculations, praying earnestly, and saying, Lord *I* beseech thee wash my soule cleane in the bloud of thy deare Son my blessed Saviour from all my sins; *I* shall (said he) be by and by be with thee, *I* shall injoy the blessed presence of thee my gracious God, my deare Saviour, and all the holy Saints.

Then he intreated his Friends, not to suffer the Executioner to pull him by the Legges, when the Ladder was turned, or to use any violent meanes, as is usuall to put him sooner out of his paine; for said he, *I* desire to suffer the paines of this death whatsoever it be; nay if it were ten thousand times more for my sins, and to waite upon my God, till he deliver my soule out of this mortall body.

Then he prayed againe, and said, into thy hands ô Lord Jesus my blessed Saviour, *I* commend my Spirit; and so he held up his hands, and the Executioner did his Office accordingly.

And that which was thought very strange, and never observed in any, none of the beholders could perceive any motion, or stirring of either hand or Foot, or the least appeareance of paine in undergoing the same.

*FINIS.*

515. l. 2. (8)

Dr. *HEWIT'S*

# LETTER

TO

Dr. *WILDE* on Monday, *June* 7. 1658. being the day before he suffered Death, and read by Dr. *Wilde* at his FUNERALL.

*Deareſt Brother,*

I Have no cauſe to think that you have not at any time taken me along with you in the daily walk upon your knees to Heaven, but I beſeech you and all my Brethren to be (now eſpecially) very mindfull to call upon God for me. The more company I go withal, the more welcom I ſhall be made. I ſhould be loath either to leave out of my Creed, or to be left out of the benefit of the Communion of Saints. Two are better then one. Two or three have the advantage of a Promiſe; but to go with a multitude to the Houſe of God, where all commers are welcome, is to be aſſured before-hand of good entertainment. Admiſſion will hardly be denyed to any, for whom there is great importunity of many: If the Gate be ſhut, much knocking will open it; or if that would not doe it, united Forces would offer an Holy violence. Many will prevail, where one alone can do but little good. *Woe unto him that is alone.*

Therefore dear Brother, ſith it is the infirmity of our nature, that we live not without the occaſions of giving and taking of offence. And 'tis the corruption of our nature that the offences we give, we write in the duſt; Thoſe we take, we engrave in Marble. If you know, or ſhall heare of any one either of my Brethren, or other perſons whom by any act of ſcandall I have tempted, or provoked, or leſſened or diſturbed, to exclude me the benefits of their charitable prayers or wiſhes. I beſeech you beg of them from me, for me, their pardon. And let not any private wild-fire of paſſion put out the holy flames of a diffuſive charity: And as for my ſelfe, I doe here proteſt before God that I doe heartily deſire to forget the injuries of whoſoever has treſpaſſed againſt me, either by word or deed. And if God ſhould have been pleaſed to have granted a longer life, I would not refuſe, (yea I am ſtedfaſtly reſolved to ſollicite termes of Reconciliation with them that have done me the wrong) And if my owne heart doe not deceive me, I would give my life to ſave the ſoule of any of my Chriſtian Brethren, and would be content to want ſome degrees of glory in Heaven, ſo that my very greateſt Enemies might be ſo happy as to have ſome. The God of Mercy ſhed forth his Bowels for them that ſhed my blood, and the blood of Chriſt ſave, & the Spirit of Chriſt ſanctifie, and ſupport him who deſires to live no longer then to honour the Father, Son, and holy Ghoſt, and both living and dying craves yours, and the prayers of the whole Church for her unworthy Child, and

*Deareſt Brother*

Your moſt affectionate Friend,

Brother and Servant in Chriſt Jeſus,

Tower, *June* 7. 1658.

Morning 7 a Clock.

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K

# A Succinct Narrative

## Of the Bloody Murder of Sir EDMONDBURY GODFREY

*Octob.* 12. 1678.

*With the various and Wonderful Circumstances of the Motives, Manner, Time, Place, Persons, &c. relating to the said Murder, Faithfully collected out of the several respective Depositions given upon Oath by Mr.* MILES PRANCE, *and Captain* William Bedloe, *to the Amazement and Horrour of all* True-Protestants.

### Capt. *Bedloe's* Depositions.

Lords Journ. THe *Papists*, because Sir *Edmondbury* seem'd to be an Obstacle to Them, and had taken the Information of *Oates* and *Tongue* about the *Plot*, resolv'd and contriv'd to take away his Life.

Ibidem 2. Pursuant to which Design, they hir'd for 4000 *l.* *Le Phaire*, *Welsh*, *Atkins*, *Pritchard*, the *Deponent*, and some *Jesuits*, to do the Fact.

Ibidem 3. Accordingly, the above-named Persons Trepan'd Sir *Edmundbury* into *Somerset-House* about five a Clock at night, on *Saturday* the 12*th.* of *October* 1678.

Comm. Journ. 4. This Trepan was effected thus; The *Deponent* was told by *Le Phaire*, that He, *Welsh* and *Atkins* met Sir *Edmundbury* near the *Kings-Head-Inn* in the *Strand*, and decoy'd him into *Somerset-House*, under pretence of apprehending some *Plotters*.

Lords Journ. 5. When they had him in the upper great Court of *Somerset-House*. They thrust him into a low Room, put a Pistol to him, threatned him if he made a noise; then stifled him between two Pillows; And finding him still alive strangled him with a long *Crevat* in in the *Room* where he lay.

Ibidem 6. On the *Monday* following precisely between 9 and 10 a Clock at night, the Body was shewn to the *Deponent* by *Le Phaire*, in the *Room*, or the next to it where the Duke of *Albemarle* lay in State in the upper square Court; There it was (by the help of a *Dark-Lanthorn*) the *Deponent* saw the Body in the presence of *Le Phaire*, *Welsh*, *Atkins*, and two other Persons.

### Mr. *Prance's* Depositions.

1. THe Papists, *because Sir* Edmondbury *seemed an Enemy to the* Queens Servants, *and would not consent to discharge one* Gerald *from Parish-Duties, (as another Justice did) resolv'd and contriv'd to take away his Life.* Lords Journ.

2. *Pursuant to which Design, they hir'd* (*for what Reward the* Deponent *doth not know*) Hill, Green, Kelly, *the* Deponent, Gerald *and* Berry, *to do the Fact.* Ibidem

3. *Accordingly the above-named Persons Trepan'd Sir* Edmondbury *into* Somerset-house, *about* 8 *or* 9 *a Clock at night: But the* Deponent *doth not well remember the Day.* Ibidem

4. *This Trepan was effected thus;* Green *gave the* Deponent *notice that* He *and* Gerald *had set Sir* Edmondbury *in St.* Clements; *And* Hill *decoy'd him down the* Wate-gate, *under pretence of parting a Fray between two Fellows quarrelling in the Yard.* Lords Journ.

5. *When they had him near the Rails by the* Queens-Stables, Green *strangled him with a twisted Handkerchief; Then finding him still alive, rung his Neck quite round, and punch'd him with his Knee in the open Yard; Which done, they dragg'd him into Doctor* Godwin's *Lodgings.* Ibidem

6. *On the* Monday *following, precisely between* 9 *and* 10 *a Clock at night, the Body was shown to the* Deponent *by* Hill, Green *and* Gerald, *in a Room in the back Square-Court below Stairs next the Garden. There it was* (*by the help of a* Dark-Lanthorn) *the* Deponent *saw the Body in the company of the said* Hill, Green *and* Gerald, *who were only present.* Ibidem

7. On

Lords Journ. 7. On the ſame *Monday* at 9 a Clock at night the dead Body was carry'd out through the *great Gate* by certain *Chair-men* (Retainers to *Somerſet-Houſe*,) whoſe Perſons were unknown to the *Deponent*; Theſe perſons carry'd him in a Chair to the corner of *Clarendon-Houſe*, and from thence convey'd him in a Coach to *Primroſe-Hill*, where they made a Wound in his Body, and laid his Sword by his ſide.

Lords Journ. 7. *On the next* Wedneſday *after about* 12 *a Clock at night, the dead Body was put into a* Sedan, *and carry'd out by the* Deponent, *and* Gerald, *into* Covent-Garden, *where* Green *and* Kelly *took him up, and carry'd him to* Long-Acre; *There the* Deponent *and* Gerald *reſum'd their Burden, and carry'd him to the* So-hoe; *from thence he was convey'd aſtride on* Horſe-back *before* Hill *into the Fields, where they thruſt his Sword through his Body, and caſt him into a Ditch.*

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# *A Two-fold Proteſtation of Mr.* Miles Prance, *concerning the Murder of Sir* Edmondbury Godfrey.

His Proteſtation made firſt before Capt. *Richardſon* in *Newgate* and then before the *King* and *Council*, ſoon after his firſt Diſcovery in *December* 1678. Reduced into Form.

*WHereas by the Suggeſtion of the Devil, Worldly Intereſt, and my own Malice, I* Miles Prance *moſt wickedly deviſed an horrid Story of the Murder of Sir* Edmondbury Godfrey, *wherein (being before-hand ſufficiently ſecur'd both of His Majeſty's Pardon for the pretended Crime, and of Reward for the Diſcovery,) I feigned my ſelf a Party, the better to gain Credit to my Damnable Forgery.*

*Now I the ſaid* Miles Prance, *do with unſpeakable grief (though yet not without a firm belief of Forgiveneſs from Almighty God upon ſincere Repentance,) hereby in the preſence of the All-ſeeing and Heart-ſcarching God, and of all Holy Angels and Good Men, Solemnly and Sincerely declare, that whatever I depos'd upon Oath, relating either to my own Knowledge and concurrence in the ſaid Murder of Sir* Edmondbury Godfrey, *or to any other Perſon or Circumſtance touching the ſame, is, in the whole, and every part thereof falſe, and the meer groundleſs product of my own Deviliſh Invention.*

*For all which my deteſtable wickedneſs, as with a repentant heart I crave the mercy of God, ſo do I humbly beg Pardon of the King, and Forgiveneſs of thoſe whom by my Helliſh Malice, I have ſo hainouſly and unjuſtly Accuſed.*

*His Proteſtation made in Solemn manner,* April 14. (82.) *being* Good-Friday, *immediately preceding the Feaſt of* Eaſter, *wherein he received the* Holy Sacrament, *at his Pariſh Church.*

WHereas ſome bold and Ill Men have ſeveral times by various but different Suggeſtions, and particularly, more openly of late, pretended they are able to Diſprove an Account I have given from my perſonal knowledge of the Murder of Sir *Edmondbury Godfrey*, wherein with unſpeakable grief (though yet not without a firm belief of Forgiveneſs from Almighty God upon unfeigned Repentance, as well as the grant of His moſt Gracious Majeſty my Earthly Soveraign's Pardon) I acknowledge my ſelf moſt wickedly drawn in, and concerned.

Now I the ſaid *Miles Prance*, do hereby in the preſence of the All-ſeeing and Heart-ſearching God, and of all Holy Angels and Good Men, Solemnly and Sincerely avow and declare, that whatever I formerly depoſed upon Oath, and ſet forth touching the manner and Circumſtances (as far as the ſame fell within my knowledge) of the ſaid Sir *Edmondbury Godfrey*'s Murder, is moſt punctually and Religiouſly true.

And as to all and every part of this my Solemn Proteſtation, as I do hereby under my hand moſt ſeriouſly avet and avow it, ſo in farther confirmation of the Truth thereof do I reſolve (with Gods Help and Permiſſion) to receive the *Holy Sacrament.*

Printed *Anno Domini* 1683.

# AN ACCOUNT

515. l. 2
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Of the digging up of

# The Quarters of William Stayley,

Lately Executed for

# HIGH TREASON,

For that his Relations abuſed the KINGS Mercy.

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*Nov.* 30. 1678. Imprimatur, *WILLIAM SCROGGS.*

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WHereas *William Stayley* being found Guilty of High Treaſon at the *Kings Bench* Bar, on *Thurſday* the one and twentieth day of *November* 1678. received then his Sentence to be drawn on a Sledge to the place of Execution, there to be hanged by the Neck, cut down alive, his Quarters to be ſevered, and diſpoſed of as the King ſhould think fit, and his Bowels burnt; Which Sentence on *Tueſday* next following was accordingly Executed, at the common place of Execution, and his Quarters were brought back and left at *Newgate*, in order to their being ſet up on the Gates of the City of *London*, and his Head on *London-Bridge*, as Traytors Quarters uſually are; But the ſaid *William Stayley* having behaved himſelf very penitently, from the time of his Conviction until the time of his Execution, which was atteſted by the ſeveral Miniſters that viſited him during that time; And the Relations of the ſaid *William Stayley* humbly Petitioning His moſt Sacred Majeſty that He would be graciouſly pleaſed that his Quarters might be delivered back to them to be privately Buried, and not to be ſet up on the Gates of the City: which His moſt Sacred Majeſty, out of His Princely Clemency and Compaſſion was pleaſed to grant; and Ordered the Sheriff of the County of *Middleſex* to deliver the Quarters to his Friends, by them to be diſpoſed of, as aforeſaid, which were delivered accordingly. But ſince that (to the great Indignity and Affront of His Majeſties Mercy and Favour) the Friends of the ſaid *William Stayley* cauſed ſeveral Maſſes to be ſaid over his Quarters, and uſed other Ceremonies according to the manner of the Church of *Rome*, and appointed a time for the Interment, *viz. Friday* the twenty ninth day of *November* 1678. in the Evening, from his Fathers Houſe in *Covent Garden*; at which time there was made a Pompous and great Funeral, many People following the Corps to the Church of St. *Pauls Covent Garden*, where he was buried: Which His Majeſty hearing of, was juſtly Diſpleaſed, and Commanded the Coroner of the Liberty of *Weſtminſter* to take up the Body of the ſaid *William Stayley*, and deliver it to the Sheriff of the County of *Middleſex*, and that the ſaid Sheriff ſhould cauſe the Quarters to be ſet up on the Gates of the City of *London*, and his Head on *London Bridge*.

The Coroner, according to His Majeſties Command, immediately goes to the Church Wardens of St. *Pauls Covent Garden*, and cauſed the Body of the ſaid *William Stayley* to be taken up, and the Coffin to be broken open, to ſee that he had the right Body: which when he had done, he cauſed the Body to be carried to *Newgate*, and there delivered it to the Sheriff of *Middleſex* to be diſpoſed of as aforeſaid.

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*London*, Printed for *Robert Pawlet* at the Bible in *Chancery-lane*, near *Fleet-ſtreet*. 1678.

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A TRUE

# ACCOUNT

OF

515. l 2
22

# The Horrid Murther

Committed upon His GRACE,

The Late K. Sharpe (J.)

# LORD ARCHBISHOP

OF

# Saint Andrews,

Primate and Metropolitan of all *SCOTLAND*, and One of His *MAJESTIES* Most Honourable Privy Council of that KINGDOM.

WITH A

# DETECTION

Of the LYES Published in a late Scandalous RELATION of that MURTHER, and of the Pretended Occasion thereof.

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Published by Authority.

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*LONDON:*

Printed by *T. N.* for *Andrew Forrester*, next Door to the Mitre Tavern in *Kingstreet Westminster*. 1679.

# A True Account

## OF THE

# HORRID MURTHER

## Of His GRACE

## The Lord Archbiſhop of *St. Andrews*, &c.

AFTER that GOD had Reſtored to theſe Kingdoms their KING and Liberty, (Mercies never to be forgot, till by our Ingratitude for them we have deſerved to be thrown back into thoſe Miſeries, that we have ſo lately eſcaped) Reaſonable Men might have concluded, That we would have reſted with much Satisfaction, under thoſe great Bleſſings, for which we had ſo much longed. But that reſtleſs Bigottry, which had in the late Rebellion diſtracted our Religion, diſſolved Monarchy, unhinged our Property, and enſlaved our Liberties, did ſoon prompt the Execrable Authors of *Naphthali*, and *Jus Populi*, who in thoſe Books endeavoured to perſwade all Men to Maſſacre their Governours and Judges by the miſapplyed Example of holy *Phineas*, and did in Specifick Terms aſſert, That there could be no greater Gift made to *JESUS CHRIST*, than the ſending the Archbiſhop of St. *Andrews*'s Head in a Silver Box to the *KING*: Which

Which Doctrine prevailed with Mr. *James Mitchell*, a Zealous *Naphthalite*, to attempt the Killing of the ſaid Lord Archbiſhop upon the chief Street of *Edenburgh*, in face of the Sun, and of the Multitude. And he having died owning his Crime as a Duty, and others having Writ Books comparing him in this Crime to *Sampſon*; Twelve, or more, of the ſame Sect, did upon the Third Day of *May* laſt Murther the ſaid Archbiſhop in this enſuing manner.

After His GRACE had gone from the Secret Council, where (to aggravate their Crime) he had been Pleading moſt fervently fo Favours to them, having Lodged at a Village called *Kennoway* in *Fiffe*, upon *Friday*-night, the Second of *May*, He took his Journey next Morning at Ten a Clock towards St. *Andrews*; and his Coach-man having diſcovered ſome Horſe-men near to *Magus*, (a Place near Two Miles diſtant from St. *Andrews*) advertiſed the Archbiſhop thereof, asking, If he ſhould drive faſter? which His GRACE diſcharged, becauſe he ſaid he feared no harm: They drawing nearer, his Daughter ſeeing Piſtols in their Hands, and them Riding at a great rate, ſhe perſwaded her Father to look out, and he thereupon deſired his Coach-man to drive on; who had certainly out-driven them, if one *Balfour* of *Kinloch*, being mounted on a very Fleet Horſe, had not cunningly paſſed the Coach, (into which they had in vain diſcharged very many Shot) and after he found that he could not wound the Coach-man, becauſe his Coach-Whip did fright the ſprightly Horſe, wounded the Poſtillion, and diſabled the foremoſt Coach-Horſes: Whereupon the reſt coming up, one of them with a Blunderbuſs wounded the Lord Primate in the Coach, and others of them called to him to *Come forth, Vile DOG, who had betrayed CHRIST and His CHURCH, and to receive what he deſerved for his Wickedneſs againſt the KIRK of SCOTLAND*; and reproached him with Mr. *James Mitchell*s Death. Whilſt he was in the Coach, one run him through with a Sword under his Shoulder, the reſt pulled him violently out of the Coach. His Daughter came out, and on her Knees begun to beg Mercy to her Father: But they beat her, and trampled her down. The Lord Primate with a very great calmneſs, ſaid, *Gentlemen, I know not that ever I injured any of You; and if I did, I promiſe I will make what Reparation you can propoſe. Villain, and* Judas, ſaid they, *and Enemy to GOD and His People, You ſhall now have the Reward of your Enmity to GOD*

People

*People:* which Words were followed with many Mortal Wounds, the firſt being a deep one above his Eye. And though he put them in mind that he was a Miniſter, and pulling off his Cap, ſhewed them his Gray Hairs, intreating, *That if they would not ſpare his Life, they would at leaſt allow him ſome little time for Prayer*; they returned him no other anſwer, but *That GOD would not hear ſo baſe a DOG as he was*; *and for Quarter, they told him, That the Stroaks, which they were then giving, were thoſe which he was to expect.* Notwithſtanding of all which, and of a Shot that pierced his Body above his Right Pap, and of other Stroaks which cut his Hands, whilſt he was holding them up to Heaven in Prayer, he raiſed himſelf upon his Knees, and uttered only theſe Words, *GOD FORGIVE YOU ALL.* After which, by many Stroaks that cut his Skull to pieces, he fell down dead. But ſome of them imagining they had heard him groan, returned, ſaying, *That he was of the Nature of a Cat, and ſo they would go back, and give one Stroak more for the Glory of GOD.* And having ſtirred about his Brains in the Skull with the Points of their Swords, they took an Oath of his Servants, not to reveal their Names; and ſo deſiring them to take up their Prieſt, they rode back to *Magus*, crying aloud, *That Judas was Kill'd*, and from thence made their Eſcape. But GOD having in an unexpected way furniſhed Probation againſt all who were preſent, it cannot but with a Dutiful Confidence be expected, that His DIVINE MAJESTY, who is ſo highly offended, will, by the ſame care, bring the Aſſaſſinates themſelves to ſuffer for that Crime.

This *NARRATIVE*, warranted by the Depoſitions of many famous Perſons upon Oath, will diſcover the many falſe Inſinuations expreſſed in a late RELATION Printed at *LONDON*: For whereas it is pretended, That this Murther proceeded from a Private Injury done to one of the Aſſaſſinates, the contrary will eaſily appear by theſe Subſequent Conſiderations.

Firſt, That this Murthering Principle has been Printed and Practiſed by others formerly againſt the ſame Perſon, ſuch as he never knew nor offended.

Secondly, It appears by the many Expreſſions aforeſaid that he ſuffered for his Function.

Thirdly, Many of the ſame Perſwaſion had foretold it in ſeveral Places; and one of the Murtherers had that Morning, after a Sacrilegious Form of Devotion, held up his Hand and ſworn, *That*

*that Hand ſhould Kill the Archbiſhop*; whereupon his Hoſteſs Kiſſed him. Nor can it be denied, but that he, who commanded the Foot for Mr. *Welſh* upon *Renpar-Law*, (that famous Field-Conventicle) owned, That their Friends thanked *GOD* for the Archbiſhop's Death, but were ſorry they knew not to whom they owed the Obligation.

Fourthly, It is known both by all the Archbiſhop's Acquaintance, and the preſent low State of his Fortune, that he never uſed any Rigour to his Debtors: And one of the Lords of Seſſion, who tranſacted that inconſiderable Affair relating to *Hackſtoun*, (on which the Falſe NARRATIVE charges this Murther) did declare publickly amongſt his Brethren-Judges, That the Archbiſhop had dealt moſt Generouſly with that Miſcreant, who was never a Servant to His GRACE. And how can it be pretended, in a Nation, where no Man was ever Murthered for uſing Legal Execution, even in the greateſt Concerns, that the other Eleven would have hazarded their Lives and Fortunes in Killing a Church-Man, and a Privy Councellor, to ſatisfie the uſeleſs Revenge of one of their Number in ſo mean a matter? And, their not taking his Gold nor Watch, and a conſiderable Sum which lay open enough in the Coach, did convincingly prove, That there was more of Bigottry than of Avarice in that Undertaking.

Fifthly, It is undeniable, that thoſe of that ſame Profeſſion and Way, have lately wounded many of *His MAJESTIES* Officers, for putting of his Uncontroverted Laws in Execution; and particularly they contrived the Death of the Town Major of *Edenburgh*, and in purſuance of that Deſign, did with many Wounds leave him, and ſome of *His MAJESTIES* Souldiers, almoſt dead upon the Place, one of them having been actually Killed. They alſo at *Londoun* Killed one of *His MAJESTIES* Souldiers in his Bed, and Wounded and Robbed others of them without the leaſt Provocation; pretending in defence of their Cruelty, That the Souldiers were Enemies to CHRIST, and that they would conclude themſelves Damned, if they paid the Ceſs granted by the Convention of all the Three Eſtates for the neceſſary Defence of the Kingdom.

Sixthly, By a *MANIFESTO* diſperſed ſome few Days before the Murther, His GRACE, and all who ſerved the *KING* in *Fiffe*, were threatned with certain Death. All which does but too much juſtifie the Courſes taken in that Kingdom againſt ſuch

People,

People, and refutes ſuch as make that paſs for Cruelty, which is but neceſſary, and Self-defence: And by all which it appears, that this Murther was not occaſioned by Private Reſentments, but by the Principles of *Naphthali*, and ſuch as were Notorious Ring-leaders in that Tribe, and their Conventicles.

It is likewiſe very obſervable, That the Author of that moſt Scandalous *NARRATIVE*, has impiouſly Lyed, in aſſerting, That the Bullets did not pierce the Archbiſhop's Body; inſinuating thereby that he was hard: Where s by a Declaration under the Hands of a Phyſician and three Chyrurgions, (of which, *William Borthwick*, to whom that Author impudently appeals, is one) it is moſt evident, that the Archbiſhop's Body was pierced by one of thoſe Shots: The Words of which Declaration (ſtill remaining amongſt the Warrants of the Privy Council) are theſe, *The firſt of theſe Wounds, being two or three Inches below the Right Clavicle, betwixt the ſecond and third Rib, which was given by a Shot not reaching the capacity of the Breaſt.* Captain *Carſtaires* likewiſe had no Commiſſion from the Archbiſhop, but from the the Privy Council; and Baily *Carmichaell* had no Commiſſion from the Privy Council, but from the Earl of *Rothes*, Lord High Chancellor, and Sheriff Principal of *Fiffe* by Inheritance

The Horrour that attends this Fact, the Dreadful Events for which it makes way, and the Scandal that it raiſes upon the True Proteſtant Religion, cannot but breed in all Juſt Men, a Deteſtation of the Principles from whence it flowed, and an Abhorrence of Thoſe, who endeavour to extenuate it with falſe Pretences.

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*F I N I S.*

# BLUNDEL the Jesuit's Letter of

## Intelligence, to his Friends the Jesuites at *Cambray*, taken about him when he was Apprehended at *Lambeth*, on *Munday* the 23th. of *June* 1679.

515. l. 2.
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To Madam Katharine Hall in Cambray.

K Blundell (R.)

*My Dr. C. JJJ. Ave Maria.*

ON the Thirteenth of *June* being *Fryday*, Mr. *Whitebread*. Mr. *Harcourt*, Mr, *Turner*, *Fenwick* and *Gaven* of the Society, and Mr. *Corker* were brought to the Barr in the *Old Bayly*, Mr. *Corker* moved the Court for a longer time being only warned the night before, whereas the other Prisoners had eight days warning to prepare themselves, whereupon he was remanded to Prison till the next day then was the Indictment read against the five above named Jesuits, for conspiring the Kings death, Subversion of Government and Protestant Religion then Mr. *Oats* swore that on the 24th. of *April* there was a consult held in *London*, where the death of the King was conspired, and that he carryed this Resolve from the one to the other, for their subscribing, and swore particular circumstances against each: to corroberate this Testimony, other Witnesses *Bedlow*, *Prance*, *Dugdale* and *Chetwin* came in with overtures to the Matter sworn by *Oates*, then did the Prisoners (after a most solemn and Religious protestation of their Innocence and ignorance of any conspiracy against his Majesty) desire that their witnesses might be heard, which could demonstrate that Mr. *Oates* was actually at *S. Omers* all the whole time, but the Judge (*Scroggs*) asked each witness as he did appear, of what Religion he was, and upon answer that he was a *Roman Catholick*, the whole Court gave a shout of laughter, then the Judge would say to them, well, what have you been taught to say, and by many scoffing questions (which moved the Court to frequent laughter) he did endeavour to take off the credibility of the witnesses; then the *Butler*, *Taylor*, and *Gardiner* of St. *Omers*, offered to swear that they saw Mr. *Oates* all the time at St. *Omers*, when he swore he was at *London*, after that the Prisoners at the Barr produced sixteen witnesses more that proved Mr. *Oats* forsworn in Mr. *Irelands* Tryal, because he was in *Soropshire*, when he attested he was in *London*, then did *Gaven* one of the Prisoners with a great deal of clearness and eloquence and with a cheerful countenance draw up their justification, shewing the face of their Evidence, and how fully their witnesses had proved Mr. *Oates* purjured. Then he did lay open the improbability of such a Plott, and how unlikely Mr. *Oates* should be intrusted in delivering Commissions to persons of Honour, and Estates, whom he never (as he acknowledged) had seen before or since, this was delivered by Mr. *Gaven* with a countenance wholly unconcerned, and in a voice very audible, and largely and pertinently expresst the Judge was incensed at this speech which he often interrupted him, but *Gaven* still urg'd my Lord, *I plead now for my Life, and for that which is dearer to me then life, the honour of my Religion, therefore I beseech you have a little patience with me.*

After this Plea of Mr. *Gavens* the Judge made his Arrayne to the Jury telling them that what the Prisoners had brought was only the bare assertions of boyes, who were taught it as a point of their Religion, to lye for the honour of their Religion, whereas Mr. *Oats* Mr. *Bedlow* and others were upon their Oathes, and if Oathes were not to be taken no Courts could subsist. Then Mr. *Oates* brought in four Witnesses which he had kept in reserve, an old Parson in his Canonical Gown, an old *Dominican* Priest! *Proh dolor & pudor!* and two women that swore they saw Mr. *Oates* in the beginning of *May* 1678. at this the whole Court gave a shout of laughter and hallow, that for almost a quarter the Cryers could not still them; never was Bear-bayting more rude and boysterous then this Tryal: Upon this the Judge dismist the Jury, to consider and bring in their Verdict, who after half an hours ablence brought in the five Prisoners at the Barr all Guilty of High Treason; thereupon the whole Court clapt their hands and gave a great hallow, it being now eight at night, the Court adjourned till next day at seven a Clock, which was *Saturday*, I was present from five in the morning till the Court broke up, the Prisoners comported themselves most Apostolically at the Barr, not the least passion or alteration appeared in them, at the invectives of the Judge, or at the clamours of the people, but made a clear and candid defence, with a cheerful and unconcerned countenance, (as a Bander by said), if they had been a Jury of Turks they had been quitted, I was with them both before and after their Tryal, and had the Honour to be in my Function serviceable to them, which I look upon as that God favoured me in, I hope for my future good: Next day Mr. *Langhorn* a Lawyer, Sir *George Wakeman*, Mr. *Cooker*, Mr. *Marsh*, Mr. *Rumbly*, the three last Benedictines, were brought to the Barr, where the Indictment being read against them for conspiring the King's Death &c. they pleaded all not guilty, then was *Langhorn* first tryed, whose Tryal held so long, that they had no time to Try the other four, and the Commission by which they sate, expiring that day, the Judge adjourned the Tryal of the other 4 till the 14th of *July*, and then the Judge commanded the Keeper to bring the five Jesuits, whom with *Langhorn* were Sentenced to be Hang'd, Drawn and Quartered, Mr. *Corker* and Mr. *Marsh* are close Prisoners, and have been so this eight months, with whom I have been, God has fitted and is still fitting them as sacrifices for himself, they are very well disposed and resigned to God's holy will, Mr. *Rumbly* hath the Liberty of the Prison, with whom is Mr. *Esket*, all cheerful and expect the good hour; On *Thursday* the day before the five Jesuits were Executed, my Lord *Shaftsbury* was with *Turner* and *Gaven*, promising the Kings Pardon if they would acknowledge the Conspiracy, Mr. *Gaven* answered he would not murder his Soul to save his Body, for he must acknowledge what he knew not, and what he did believe was not.

On *Friday* the 20th. of *June* Mr. *Whitebread* upon one Sledge with Mr. *Harcourt*, Mr. *Turner* and Mr. *Gaven* upon another Sledge, Mr. *Fenwick* upon a Sledge by himself, were drawn from *Newgate* to *Tiburn*, Mr. *Langhorn* is for a time Repreived and promised Pardon, if he will (as tis Reported) discover the Estates of the Jesuites, he was their Lawyer tis certain, my Lord *Shaftsbury* has been often with him.

In the way they comported themselves seriously and cheerfully, Mr. *Gaven* had smug'd himself up as if he had been going to a Wedding; when they arrived at *Tiburn* they each made a Speech, first, all averring their ignorance of any Plott against His Majesty, secondly, pardoning their Accusers, thirdly, hartily praying for them.

But Mr. *Gaven* in his Speech made an Act of Contrition, which was much liked by all, for he was an excellent Preacher: then they all betook themselves to Meditation, for more then a good quarter, the multitude was great, yet there was a profound silence, and their most Religious comportment has wonderfully allayed the fury of the People; when they had ended their Prayers, and the Ropes were about their necks there came an Horseman in full speed from *White Hall*, crying as he Rode, a Pardon, a Pardon, so with difficulty he made through the Press to the Sheriff, who was under the Gallows to see Execution performed; then was the Pardon read, which expressed, *How the King most graciously and out of his inclination to Clemency had granted them their lives, which by Treason they had forfeited, upon condition they would acknowledge the Conspiracy and lay open what they knew thereof.* But they all thanked his Majesty for his inclination of mercy towards them, but as to any Conspiracy they knew of none much less are guilty of any, so they could not accept of any Pardon upon those conditions, after a little Recollection the Cart was driven away, after they were dead they were Quartered, but their Quarters were given to their friends, *Sanguis Martyrum sit Semen Ecclesiæ.*

I sent to you an accompt of Mr. *Puckerings* death, and will tell you what may happen, but I know not if they come to you, you may cover your Letter to me, for Mrs. *Pleydon* at my Lady *Drummonds* in *Queen street*, London.

Printed in the year 1679.

# AN ANSWER To Blundell the Jesuits LETTER;

## That was taken about him at *Lambeth*, on *Munday* the 23*d*. of this Instant *June*.

*Directed to the* Jesuits *at* Cambra *in* Flanders: *Wherein he gives them an Account of several Notorious Untruths, concerning the Proceedings in Court, against the Five* Jesuits *lately Executed: with several other Prepostorous Relations. The which being duly weighed, it was thought fit to Exhibit this Reponsary to confute his errors, and for Vindication of the wholesome* Laws, *and Impartial Judicature of this Our* ENGLISH *Nation, &c.*

NO Wonder if the *Jesuitick* Order can Dissemble thus with their own Friends, and send them Fallacies to keep them Ignorant of their Diabolick and most unheard of Villanies; the which in open Day have shew'd their dismal heads in this our Native Land: nay, and not only here, but through the Christian World, that they can Equivocate with us for their own Interest, whom they mark out as mortal Foes. What Nation has not heard since first that cruel Order took its birth of Rapes and Massacres, and Murdered Kings, Poysoning and Devastations, Tortures, and all the Cruel rage that the Infernal Legions arm'd with fatal Counsels e're could prompt them to; for they the barbarous Executioners of Tyrant *Rome*, disperse themselves abroad throughout the Earth, and gather in the Slain to fill her *Babilonish* Cup with reeking Blood from Tender Hearts of Innocent distill'd —— This when they rove like thirsty Tygers in their uncontrouled paths, but if restrain'd from their pernitious Deeds by interposing Justice arm, they never look back to view what they have done to others, but cry, themselves are sore oppresst for those, who in steeming slaughter do delight: so they themselves are not concerned, love not to undergo the least of pain. And here among the rest I shall expose unto the World, the observation of which being well weighed and considered, the which is an Erronious *Letter* or *Lybill* that was found in the possession of one *Richard Blundell*, an Arch and notorious *Jesuit*, and a great Instrument for the carrying on of the late Diabolick Plot: when he was taken some few days since at *Lambeth*, and now remaineth in the County Goal, the which reflecting upon the Justice of our Nation, with many notorious untruths, the which in order: First, Denying that there was any Plot, and that the Five *Jesuits* lately Executed, were wrongfully condemned, and that they had not priviledge to speak for themselves. The which notorious and scandalous Objections may be answered: That these Parties being Apprehended for High-Treason in designing the Death of his Sacred Majesty, and for the endeavouring to subvert the true Protestant-Religion, had during the time of their Imprisonment, all the favours and priviledges imaginable, to bring proof if they had or could produce any for the better clearing of themselves, and that when they came to their Tryals their witnesses (the which it was probably conjectured, were suborned and sent by their Tutors from St. *Omers*, and other places, being most of them young Students to validetare the assertions of Dr. *Oats*,) yet notwithstanding were most patiently heard: The often Laughter caused in the Court, which he objecteth was by their confounding themselves in their Averrations, for they not being well versed in *Roman* Lyes, or that their premeditated Doctrine being not well digested, they baffled one another most erroniously in their Discourses, for one said this, the next being asked denyed it, and said it was after another manner; so that their Attestations proved not only Ineffectual, but also prejudicial to the Prisoners. Their main point they insisted on, was to prove that Dr. *Oats* was himself at St. *Omers* at the same time he had given in upon Oath he was at the Society of *Jesuits* in *London*, on the 24*th*. of *April* 77, and thereupon by reason their Rable affirmed it, though many of them never saw him, nor in Court had not known which was he unless they had been shewed. Upon this abortive reason, this adaucious *Iesuit* affirms that Dr. *Oats* was perjur'd: The material of the Witnesses was a *Taylor* belonging to the Colledge aforesaid, who if he had denyed to come over upon this account, how false soever, had certaicly lost the *Jesuits* Work, and peradventure all his Tools, except he had conveyed them out of the Colledge by Moon-light; so that for his being conscious in attesting a known untruth, the poor Fellow had been undone for ever. The next was the Butler, who was Sequestred of his place, and made to Swear he would never Lye with any *Nun* in *France*, nor Fast a whole *Lent* together, till he had preformed the Rectors Will, wo put him in remembrance remembrance of the brave Atcheivements of those *Hero's*, who were sent over in King *Jameses* Time, supposing to excuse Father *Garnet*, and the rest of the *Jesuits*, in the daring *Powder-Plot*. The Gardener seeing this, thought it was time for him to stand out, lest his *Palazados* should be overthrown, and all his Trinks thrown about, he Valentarily consented; so that they with the rest, being by the publick Confession absolved for what they should say or Swear, came merrily over, but went as shamefully home after they had Disgorg'd their *Popish* Element, vowing never to bring any more Lyes into *England*, seeing they were no better accepted, and no more regard taken of them; they being Mint of the *Popes* own stamp, for Dr. *Oats* bringing in four Witnesses, one of them being a Dominican *Fryer*, a Chicken of the *Popes* own Hatching; and Three more honest Protestant Attestators, who both saw, Spoke, and Drank with him on that Day, their Oaths being absolutely deposed upon the same: Had all the *Roman* Conclave with each of them a Bull in his Hand, that could have Roared the contrary as loud as those of *Bason*, the judicious Court would scarcely have credited them if but for Dispensation sake; But to the purpose, farther he says, that during the time of their Tryals, they behaved themselves like Apostles, but were not come to be the Sons of Thunder, because the Plot took no effect, for if it had, each of them then had been a *Boanerges*, and would have Thundred down both Church and State. Again, he objects most falsly, That during the time of their Tryals, the Court shouted as if it had been a Bear-baiting, the which if there was any disturbance or incivility from unruly spectators, their foolish Witnesses, as aforesaid, were the cause of it. But give me leave to ask the Monsieur *Jesuit* what Bear-baitings were in *Ireland* committed in 41. by the barbarous and bloody *Papists*, when 300000 innocent Protestants unjustly fell, not being suffered so much as to speak for themselves, but were inhumanely sacrific'd by their devilish rage. In the same case had we been e're this time, had not Omnipotence prevented it. And farther let him know, that had they not been concerned in the Plot, (as unquestionably they were) that there is a Law forbidding all *Jesuits*, and *Romish-Priests* to avoid the Land on pain of Death; the which they knowing, and presumptuously offneding, by that contempt had forfeited their lives, but Protestants are merciful, and will not act the rigour again. It is a question whether the Earl of *Shaftsbury* offered them any such Grace from his Majesty, during their Imprisonment, knowing them to be Priests, and therefore irreclamable: Farther 'tis objected, that they went joyfully to the place of Execution, so did the *Monk* that Stab'd King *Henry* of *France*, the Dagger being Consecrated, dipped in the *Euchrist*, and wrapt in the reliques of a Saint, to make it more forcible for Execution, and then with solemn Oaths to deny is the property of the *Romish* Faction. As to the Reprieve that is related to be tendered them at the place of Execution, is most erroniously false, and no man can be produced that saw any such thing, but that is suggested to note to the world how little they feared death, and to animate those that remain to imitate them in their Diabolick practices, trifling with Eternity, and dye with lyes in their mouths, which lying and equivocating may be seen at the late Apprehending of this *Blundell*, about whom (as it is credibly reported) this Letter was found; who both to the Justice Dr. *Oates*, and the Constable, forswore himself, his Name, and Function; and that he was a poor man ready to starve, and had not a Shilling in the world: with many other dire Protestations, when upon search they found about him 60 peices of Gold, this letter and many other Seditious Writings; so that now as he was so officious to his Brethren in Iniquity, some of the rest may Execute the same for him.

*FINIS.*

Printed for *F. F.* in the Year. 1679.

515. L. 2.
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# THE SPEECH OF Richard Langhorn Esq;

## At his Execution *July* 14. 1679.

## Being left in writing by him under his own hand.

*IN regard I could not foresee whether I should be permitted to speak at my Death, so as to make a publick Declaration of my Innocency and Loyalty, as a Christian ought to do; considering likewise, that if it should be permitted unto me, it would be more advisable for me rather to prepare beforehand, and set down in writing the very words in which I should make my Declaration, than to trust my memory with them; to the end that the same may be well considered of, and digested by me, and that all mistakes might be prevented, as far as may be: I say, in regard of this, I have in the present Paper reduced what I have to declare, as to my Innocence and Loyalty. And 'tis in these following words.*

I Do solemnly and sincerely, in the presence of Almighty God, profess, testifie and declare, as followeth: That is to say,

1. That I do with my heart and soul, believe and own my most Gracious Soveraign Lord, the Kings Majesty, King *Charles* the Second, to be my true and lawful Soveraign, Prince and King, in the same sence and latitude, to all intents and purposes, as in the Oath commonly called, *The Oath of Allegiance*, His said Majesty is expressed to be King of this Realm of *England*.

2. That I do in my soul believe, That neither the Pope, nor any Prince, Potentate, or Forreign Authority, nor the People of *England*, nor any Authority out of this Kingdom, or within the same, hath or have any Right to dispossess His said Majesty of the Crown or Government of *England*, or to depose him therefrom, for any Cause or pretended Cause whatsoever, or to give licence to me, or to any other of His said Majesties Subjects whatsoever, to bear Arms against His said Majesty, or to take away his Life, or to do him any bodily harm, or to disturb the Government of this Kingdom, as the same is now established by Law, or to alter, or go about to alter the said Government, or the Religion now established in *England*, by any way of force.

3. That I neither am, nor ever was, at any time or times, guilty, so much as in my most secret thoughts, of any Treason, or misprision of Treason whatsoever.

4. That I did not in the Month of *November*, or at any other time or times whatsoever, say unto Mr. *Oates*, or unto any other person or persons whatsoever,

ever, in relation to my Sons in *Spain*, or either of them, or in relation to any other perſon or perſons whatſoever, That if they did continue in the World, ( as Secular Prieſts, or otherwiſe) they ſhould ſuddenly have great Promotions in *England*, for that things would not laſt long in the poſture wherein they then were; nor did I ever ſay any words to that or the like effect to any perſon or perſons whatſoever.

5. That I did never in all my life-time write any Letter, or other thing whatſoever, unto, or receive any Letter or other thing, from Father *Le Cheeſe*, or any *French* Jeſuit whatſoever, or from Father *Anderton*, or Cardinal *Barbarino*, or any other Cardinal; nor did I ever ſee any Letter, or the Copy of any Letter, or other Paper, or other thing, written or purporting to be written unto the ſaid *Le Cheeſe*, or unto the ſaid Father *Anderton*, or the ſaid Cardinal *Barbarino*, by any perſon or perſons whatſoever, other than the printed Letters, printed in the Narrative of the Trial of Mr. *Edward Coleman*, lately executed, which I never ſaw otherwiſe than in the ſaid printed Narrative; nor did I ever hear any mention made by any perſon whatſoever of the Name of *Le Cheeſe*, or Father *Le Cheeſe*, before I read the ſaid printed Narrative.

6. That I did never in all my life-time make any Entry or Entries, into any Book or Books, or take, or make, or write, or cauſe to be written into any Book or Books, or otherwiſe any Letter or Letters, or any Copy or Copies of any Letter or Letters, written by the ſaid *Edward Coleman*, to any perſon or perſons whatſoever.

7. That I did never in all my life-time enter or regiſter into any Book or Books, Paper or Papers whatſoever, or take, or make, or write, or cauſe to be written, any Copy or Copies, of any Act or Acts, Conſult or Conſults, Determination or Determinations, Order or Orders, Reſolve or Reſolves, or other matter or thing, at any time made, determined, reſolved, paſſed, decreed or agitated, at any Congregation or Congregations, Conſult or Conſults, Chapter or Chapters, Aſſembly or Aſſemblies, of the Society or Order of the *Jeſuits*, or of any other Religious Order whatſoever; nor did I ever ſee, read, or heard read, nor did any perſon or perſons, at any time whatſoever, ever communicate unto me, any ſuch Act, Conſult, Determination, Order, Reſolve, Matter or Thing whatſoever.

8. That I did never in all my life-time, to my knowledge, belief or remembrance, ſee or ſpeak with Mr. *Bedloe*, who gave Evidence againſt me at my Tryal, until I ſaw him in that Court wherein he gave Evidence againſt me.

9. That after the month of *November*, which was in the year of our Lord 1677. I did never ſee or ſpeak with Mr. *Titus Oates* before named, until I ſaw him in the ſame Court where he gave Evidence againſt me at my Tryal.

10. That I did never ſee in all my life-time, to my knowledge, belief or remembrance, any Commiſſion or Commiſſions, Patent or Patents, Grant or Grants, Order or Orders, Inſtrument or Inſtruments, Writing or Writings, or other matter or thing whatſoever, under, or pretended to be under the Hand and Seal, or the Hand or the Seal of *Johannes Paulus de Oliva*, or any other General of the *Jeſuits* whatſoever, other then the Paper or Inſtrument produced and ſhewed unto me in the ſaid Court at my Tryal, which whether it was ſigned or ſealed by the ſaid *de Oliva*, I do not know.

11. That I did never in all my life-time write, or cauſe or procure to be written, any Treaſonable Letter or Letters whatſoever, or any thing which was or is Treaſon or Treaſonable, in any Letter or Letters, Book or Books, Paper or Papers, or otherwiſe howſoever.

12. That

12. That I believe, that if I did know, or ſhould know of any Treaſon or Treaſonable Deſign, that was or is intended, or ſhould be intended againſt His ſaid Majeſty, or the Government of this His Majeſties Kingdom, or for the Alteration by force, advice or otherwiſe, of the ſaid Government, or of the Religion now eſtabliſhed in this Kingdom, and ſhould conceal and not diſcover the ſame unto His ſaid Majeſty, or His ſaid Majeſtie's Councel or Miniſters, or ſome of them; that ſuch concealment would be in me a ſin unto Death, and Eternal Damnation.

13. That I do believe, that it is no ways lawful for me to lye, or ſpeak any thing which I know to be untrue; or to commit any ſin, or do any Evil, that Good may come of it. And that it is not in the Power of any Prieſt, or of the Pope, or of God himſelf, to give me a Licenſe to Lye, or to ſpeak any thing which I know to be untrue, becauſe every ſuch Lye would be a ſin againſt Truth: And Almighty God, who is perfect Truth, cannot give me a Licenſe to commit a ſin againſt his own Eſſence.

And I do ſolemnly in the preſence of God, Profeſs, Teſtify and Declare, That as I hope for Salvation, and expect any benefit by the Blood and Paſſion of my deareſt Saviour Jeſus Chriſt, I do make this Declaration and Proteſtation and every part thereof, in the Plain and Ordinary Senſe, wherein the ſame ſtands Written, as they are commonly underſtood by *Engliſh* Proteſtants and the Courts of Juſtice of *England* without any Evaſion, or Equivocation, or Deluſion, or Mental Reſervation whatſoever. And without any Diſpenſation or Pardon, or Abſolution already granted to me, for this or any other purpoſe by the Pope or any other Power, Authority or Perſon whatſoever, Or, without any hope, expectation or deſire of any ſuch Diſpenſation; and without thinking or believing that I am or can be acquitted before God or Man, or abſolved of this Declaration or any part thereof, although the Pope or any other Perſon or Perſons, or Power or Authority whatſoever ſhould diſpence with, Or take upon him or them to diſpence with, or Annull the ſame, Or declare that it was, or is, or ought to be Null or Void in part, or in the whole, from the beginning, or otherwiſe howſoever.

Having made this Declaration and Proteſtation in the moſt plain Terms that I can poſſibly imagine to expreſs my ſincere Loyalty and Innocency, and the clear intention of my Soul, I leave it to the Judgments of all Good and Charitable perſons whether they will belive what is here in this manner affirmed and ſworn by me in my preſent Circumſtances, or what is ſworn by my Accuſers.

I do now farther declare, That I die a Member (though an unworthy one) of that Holy Catholick and Apoſtolick Church of Chriſt, mentioned in the Three Holy and Publick Creeds, of which Church our Lord Jeſus Chriſt is the Inviſible Head of Influence, to illuminate, guide, protect and govern it by his Holy Spirit and Grace, and of which Church, the Biſhop of *Rome*, as the Succeſſor of St. *Peter*, the Prince of the Apoſtles, is the viſible Head of Government and Unity.

I take it to be clear, That my Religion is the ſole cauſe, which moved my Accuſers to charge me with the Crime, for which upon their Evidence I am adjudged to die, and that my being of that Religion, which I here profeſs, was the only ground which could give them any hope to be believed, or which could move my Jury to believe the Evidence of ſuch men.

I have had not only a Pardon, but alſo great Advantages, as to Preferments, and Eſtates offred unto me, ſince this Judgement was againſt me, in caſe I would have forſaken my Religion, and owned my ſelf guilty of the Crime charged againſt me, and charged the ſame Crimes upon others: But bleſſed be my God, who by his Grace hath preſerved me from yielding to thoſe Temptations, and ſtrengthened me rather to chooſe this death, than to ſtain my Soul with ſin, and to charge others, againſt truth, with Crimes, of which I do not know that any perſon is guilty.

Having ſaid what concerns me to ſay as to my ſelf, I now humbly beſeech God to bleſs the Kings Majeſty with all temporal and eternal Bleſſings, and to preſerve Him and His Government from all Treaſons and Traitors whaſoever, and that His Majeſty may never fall into ſuch hands, as His Royal Father of Glorious Memory fell into.

I alſo humbly beſeech thee (O God) to give true Repentance and Pardon to all my Enemies, and moſt particularly to the ſaid Mr. *Oates* and Mr. *Bedloe*, and to all who have been any ways acceſſary to the taking away of my Life, and the ſhedding of my innocent Blood, or to the preventing the King's Mercy from being extended unto me; and likewiſe to all thoſe who rejoyced at the Judgement given againſt me, or at the execution of the ſaid Judgement; and to all thoſe who are or ſhall be ſo unchriſtianly uncharitable, as to disbelieve, and to refuſe to give credit unto my now Proteſtations.

And I beſeech thee (O my God) to bleſs this whole Nation, and not to lay the guilt of my Blood unto the charge of this Nation, or of any other particular perſon or perſons of this Nation. Unite all (O my God) unto thee and thy Church, by true Faith, Hope and Charity, for thy mercies ſake.

And for all thoſe who have ſhewed Charity to me, I humbly beg (O my Jeſus) that thou wilt reward them with all Bleſſings both temporal and eternal.

13 *July*, 1679.

*R. Langhorn.*

# THE SPEECH OF Mr. William Plessington.

Who was EXECUTED at

# WEST-CHESTER

(For being a Priest of the Church of ROME) *July* 19. 1675.

*Dear Countreymen*,

I Am here to be executed, neither for *Theft*, *Murder*, nor any thing againſt the *Law of God*, nor any fact or *Doctrine* inconſiſtent with *Monarchy or Civil Government*, I ſuppoſe ſeveral now preſent heard my *Tryal* the laſt Aſſizes, and can teſtify that nothing was laid to my charge but *Prieſthood*; and I am ſure you will find that *Prieſthood* is neither againſt the *Law of God*, *nor Monarchy*, or *Civil Government*. If you will conſult either the *Old or New Teſtament*; (for it is the *Baſis* of Religion,) for no *Prieſt*, *no Religion*; S. *Paul* tells us in *Hebr.* 7.12. The *Prieſthood* being changed, there is made alſo of neceſſity a change of the *Law*; and conſequently the *Prieſthood* being aboliſht, the *Law* and *Religion* are quite gone.

But I know it well be ſaid, that a *Prieſt* ordained by authority derived from the *See of Rome*, is by the *Law of the Nation* to die as a *Traytor*; But if that be ſo, what muſt become of all the *Clergy-men* of the *Church of England*; for the firſt Proteſtant Biſhops had their Ordination from thoſe of the *Church of Rome*, or none at all, as appears by their own writers; ſo that Ordination comes derivatively to thoſe now living.

As in the Primitive times, Chriſtians were eſteemed *Traytors*, and ſuffered as ſuch by *National Laws*, ſo are the *Prieſts of the Roman Church*, here eſteemed, and ſuffer as ſuch. But as Chriſtianity then was not againſt the *Law of God*, *Monarchy*, *or Civil Policy*; ſo now there is not any one Point of the Roman Catholick Faith, (of which Faith I am) that is inconſiſtent therewith, as is evident by induction in each ſeveral Point.

That

That the POPE hath power to depoſe, or give licenſe to *murder Princes*, is no point of our Belief: And I proteſt in the ſight of God, and the Court of Heaven, that I am abſolutely innocent of the PLOT ſo much diſcourſed of, and abhor ſuch bloody and damnable deſigns; and though it be nine Weeks ſince I was ſentenced to die, there is not any thing of that laid to my charge, ſo that I may take comfort in S. *Peters* words, 1 *Pet.* 4,15,16. *Let none of you ſuffer as a Murderer, or as a thief, or as an Evil-doer, or as a buſy-body in other mens matters; yet if any man ſuffer as a chriſtian, let* him *not not be aſhamed or ſorry.* I have deſerved a worſe death; I have been a faithful and true Subject to my King, I have been a grievous ſinner againſt God; Thieves and Robbers that Rob on Highways, would have ſerved God in a greater perfection then I have done, had they received ſo many favours and graces from him as I have.

But as there was never ſinner who truly repented, and heartily called to *Jeſus* for mercy, to whom he did not ſhew mercy; ſo *I* hope by the Merits of his Paſſion, he will have mercy on me, who am heartily ſorry that ever *I* offended him.

Bear witneſs good hearers, that *I* profeſs that *I* undoubtedly and firmly believe all the Articles of the *Roman Catholick Faith*, and for the truth of any of them, (by the aſſiſtance of God) *I* am willing to die, and *I* had rather die then doubt of any Point of Faith, taught by our Holy Mother the *Roman Catholick Church.*

In what condition *Margaret Plat* one of the chiefeſt Witneſſes againſt me was before, and after ſhe was with me, let her neereſt relations declare.

*George Noſly*, another Witneſs ſwore falſely, when he ſwore, *I* gave him the Sacrament, and ſaid Maſs at the time and place he mentioned, and *I* verily think that he never ſpoke to me, or *I* to him, or ſaw each other but at the Aſſizes week; the Third Witneſs *Robert Wood* was ſuddenly killed, but of the Dead why ſhould *I* ſpeak? Theſe were all the Witneſſes againſt me, unleſs that only declared what they heard from others. *I* heartily and freely forgive all that have been or any way inſtrumental in my Death, and heartily deſire that thoſe that are living may heartily repent.

God bleſs the King and the Royal Family, and grant His Majeſty a proſperous Reign here, and a Crown of glory hereafter; God grant peace to the Subjects, and that they Live and Die in true Faith, Hope and Charity: That which remains is, that *I* recommend my ſelf to the mery of my Jeſus by whoſe merits *I* hope for mercy, O Jeſu be to me a Jeſus.

*FINIS.*

# Short *Memorandum's* upon the Deaths of M. *Philip Evans* and M. *John Lloyd* both Prieſts, who were Executed at *Cardiff* in *Glamorganſhire*, the 22. day of *July*, 1679.

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ABout Nine of the Clock in the morning, the Under-Sheriff M. *Charls Evans* came to the Cellar in the Goal, where the Gentlemen were kept, and immediatly a Smith was ſent for to take off their Irons, which were ſo hard let on, that the Smith was above an hour in taking off Mr. *Evans's* alone, which, was not done without great pain to him; notwithſtanding which he never gave the leaſt ſigne of Impatience or trouble, but encouraged the Man to go on with his work, without fear of hurting him: When they were brought out of the Cellar, they deſired to walk on foot to the place of Execution, but were refuſed, and put both upon one Cart; their arms pinnioned; all the way reading in their Books. When they arrived at the place of Execution, they followed St. *Andrews* Example, ſaying, *Welcome good Croſs*, and falling upon their knees, kiſſed the Poſt of the Gallows, and remained praying there a good while: When they had done, they asked which was to die firſt, the Sheriff anſwered, Mr. *Evans*; He bowing, ſpake theſe few words.

I need not tell you why we are brought here to ſuffer; our ſentence of Condemnation is a ſufficient witneſs, that it was not for a Plot, or any other Crime, but for being Prieſts; conſequently I do die for Religion and Conſcience ſake: I ſhall not ſpeak much of the goodneſs of my Cauſe, becauſe I think it will be needleſs; but it is ſo good, that I would not give the happineſs of dying for it, for all the Crowns of the World: Sure if a Man ever ſpeaks truth, it muſt be at the hour of death, therefore I hope no body will doubt of what I ſay; If I have or had any Enemies in the World, which I do not know that ever I had any in my Life, I do heartily forgive them, for any thing done or ſaid againſt me; and if I have offended any body I am heartily ſorry for it, and ask them forgiveneſs; I pray God bleſs and proſper the King: I beg the prayers of all, and in particular of the Catholicks here preſent; That done, he kneeled down again with ſome friends about him, and having ſaid ſome Prayers, he took his leave of them, and went up the Ladder; upon which he ſpoke again theſe words, Sure this is the beſt Pulpit a Man can have to Preach in, therefore I cannot forbear to tell you again, that I die for God and Religion ſake, and I think my ſelf ſo happy, that if I had never ſo many lives, I would willingly give them all for ſo good a Cauſe; if I could live, it would be but for a little time, though I am but young, happy am I that can purchaſe with a ſhort pain an Everlaſting Life; I do forgive all thoſe that have had any hand in my death, accuſation or Condemnation: I ask again forgiveneſs of every body, *I* give thanks to all thoſe that have been kinde to me, and to you M. Sheriff; Adieu Mr. *Lloyd*, tho' for a little time, for we ſhall ſhortly meet again; pray for me all, and I ſhall return it, when it pleaſeth God that I ſhall enjoy the beatifical Viſion, if any of you that ſee me die thus willingly for my Religion, have any good thought upon it, I ſhall think my ſelf happy; then he made a ſtop, and after a little while, ſaid with a clear and cheerfull voice,

In

*In manus tuas, Domine, commendo Spiritum meum* ; and ſo giving the ſigne, the Executioner turn'd him over, and the Ladder being very ſhort, it ſtirr'd with him, then Mr. *Richard Fones* one of the Sheriffs Bailiffs took his legs from it, and turn'd them after his body ; all that were preſent can juſtify, that he never looked better, nor more cheerfull then he did then ; All this will be teſtifyed ( if need be ) by credible Perſons as well Proteſtants as Catholicks.

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DUring the time of Mr. *Evans*'s Execution, Mr. *Lloyd* ſtood by with as much conſtancy and cheerfulneſs as any Man could have, and before he went up the Ladder, he ſaid theſe words following more diſtinctly and heartily then ever he did in his Life, by the Report of thoſe that have known him theſe many years. My fellow-ſufferer has declared the Cauſe of our death, therefore I need not repeat it ; and beſides I never was a good ſpeaker in my Life ; I ſhall onely ſay, that I dye in the true Catholick and Apoſtolick Faith, according to theſe words in the Creed, I believe the Holy Catholick Church, and with thoſe three Virtues, Faith, Hope, and Charity, I forgive all thoſe that have offended me ; and if I have offended any body I am heartily ſorry for it, and ask them forgiveneſs. I beg the prayers of all, and in particular of the Catholicks here preſent, deſiring them to bear their Croſſes patiently, and to remember that paſſage of Holy Scripture, *Happy are they that ſuffer perſecution for Juſtice, for theirs is the Kingdome of Heaven :* Then he went up the Ladder, and there gave thanks to all thoſe that had been kinde to him, and in particular to the Sheriff, then he made a little ſtop ; after which he ſaid ; Mr. *Carne*, you have been always my benefactor, pray for me now : then he knocked his breaſt three times, and ſaid in Latine, *Lord have Mercy upon me a Sinner*, and, *Into thy hands, Lord, I recommend my Spirit* ; So gave the ſigne and was turned over.

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*FINIS.*

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# The Laſt Speeches of Three Prieſts, that were Executed for Religion, *Anno Domini* 1679.

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*The laſt Speech of Mr.* John Kemble, *a Clergy-Man, which he ſpake in the Cart upon* Wigmarſh, *by* Hereford, *Auguſt*, 22. 1679.

IT will be expected I ſay ſomething, but as I am an Old Man it cannot be much, not having any concern in the *Plot*, neither indeed believing there is any; *Oates* and *Bedloe*, not being able to Charge me with any thing when I was brought up to *London*, though they were with me, makes it evident that I Dye only for Profeſſing *The Old Roman Catholick Religion*, which was the Religion that firſt made this Kingdom *Chriſtian*, and whoever intends to be Saved muſt dye in that Religion.

I begg of all that either by thought, word, or deed, I have offended to forgive me, for I do heartily forgive all thoſe that have been inſtrumental or deſirous of my Death.

*Then ſaying ſome Prayers in private, which having ended he was Executed, he was Aged Eighty Years.*

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*The Subſtance of the words which Mr.* William Poskhayt, *a Clergy-Man, uttered at his Execution at* York, *in* Auguſt, 1679.

I Dye in *The Catholick Religion*, out of which there is no Salvation. *Mr. Sheriff*, you know I dye not for the *Plot*, but for my *Religion*, I pray God bleſs the King, and the Royal Family: *Mr. Sheriff*, I pray tell the King, That I never offended him in any manner of way, I pray

God give him his Grace and the Light of Truth. I forgive all that have wronged me and brought me to this Death, and I desire Forgiveneſs alſo of all People, his Age was about Ninety.

*An Account of the words ſpoken by Mr.* Charles Mahony, *an* Iriſh *Prieſt, of the Holy Order of St.* Francis, *who was Executed in his Habit at* Ruthin *in* North-Wales, *Auguſt*, 12. 1679.

NOW God Almighty is pleaſed *I* ſhould ſuffer Martyrdom, his Holy Name be praiſed, ſince I dye for my Religion. But you have no Right to put me to death in this Country, though I confeſſed my ſelf to be a Prieſt, for you ſeized me as I was going to my Native Country *Ireland*, being driven at Sea on this Coaſt, for I never uſed my Function in *England* before I was taken, however God forgive you; for I do and ſhall always pray for you, eſpecially for thoſe that were ſo good to me in my diſtreſs, I pray God bleſs our King, and defend him from his Enemies, and Convert him to the Holy Catholick Faith, *Amen.*

*His Age was under Forty, He was Tryed and Condemned at* Denby, *Confeſſing himſelf to be a Prieſt.*

*FINIS.*

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# A TRUE COPY OF THE SPEECH OF

Mr. *Francis Johnstons*, alias *Dormore*, alias *Webb*, alias *Wall*;

# A PRIEST OF THE Church of Rome,

(Who was Convicted before Mr. *Justice Atkins*, at *Worcester*, last *Lent-Assizes*, upon an Indictment on the Statute of the 27 *Eliz.* Cap. 2.) Which he spake upon the Ladder, immediately before his Execution, on *Fryday* last, *August* 22. 1679.

With ANIMADVERSIONS upon the same.

ALmighty *God*, out of his infinite Goodness to this World, through the Merits of his Son *Christ Jesus*, ordained or made choyce of Three Vertues, whereby we must walk; which are these, *viz. Faith*, *Hope*, and *Charity*. *First*, By the Virtue of *Faith*, we are to believe all things that are done in this World. *Secondly*, By Virtue of *Hope*, we are to believe and hope for all things in another World: And the Reason why Christians do believe this *Hope*, is to bring and conduct them to Salvation in the other World. And if we Hope in *God*, we cannot but Believe *God*: For *with the Mouth, Confession is made; but with the Heart*, (and through *Faith*) *we must believe unto Salvation*. So that *Faith* is not to be trodden under Foot, or to be hidden under a Bushel; but to be set upon a Candlestick. *Luke* the 12th. *Whosoever doth confess me before Men, him will I confess before the Angels of God; And him that denies me before Men, him will I deny before the Angels of God*. And therefore, all are bound to believe, that there is but one *Faith*; and if but one *Faith*, then but one *Christian Faith*. There is but one *Faith*, one *Lord*, one *Baptism*: And if it be so, How can this stand with so many Sectaries as there are? And if there be one *Faith*, How can this be?

I believe the Creed of St. *Athanaſius*, (which is in your *Common-Prayer-Book*) and there it is ſaid, *That whoſoever will be ſaved, 'tis neceſſary before all things, that he hold the* Catholick-Faith; *and that if he keep not that* Faith *whole and undefiled, he ſhall periſh everlaſtingly.* And as St. *James* ſaith, (*Jam.* 2. 10.) *He that keepeth the whole Law, and yet offendeth in one Point, is guilty of All:* So they that believe, muſt be all of the ſame *Faith*. And that this ought to be done, I do appeal to all the Saints that are gone before; of whom it is ſaid, *Heb.* 11. *That their Faith was ſuch, as by it they ſtopt the Mouths of Lyons, they turned the Edge of the Sword, and cauſed the Fire to ceaſe, that it ſhould not burn:* And *They were cloathed ſo, they wandred about in Sheep-Cloathing, and Goats Cloathing.* Therefore, I ſay, there muſt be an Unity of *Faith*.

I deſire all *Catholicks* to conſider this, That it is better to be Reviled by Man now in this World, than to be Reviled by *God* in the World to come. *Matth.* 16. its ſaid, *The Catholick Church is built upon a Rock:* And *Matth.* 18. *He who will not believe the Church, let him be as a Heathen and a Publican.* This *Faith* muſt be Eſtabliſht ſo in every one, becauſe *Chriſt* ſaid, *He would ſend the Holy Ghoſt, and he ſhall ſhew us* (or them) *what to do.* This is the Rule of *Faith:* This *Faith* was publiſht at *Rome:* and St. *Paul* writing to the Chriſtians there, Rejoyceth that their *Faith* was Renowned in the whole World. *Go ye therefore, Baptizing all Nations in the Name of the Father.* And this is the *Faith* which I Confeſs and Believe in, and which I dy for.

I come now to ſpeak of the Second Vertue, which is *Hope*. I Hope, I ſhall have ſuch Reward, *that neither Eye hath ſeen, nor Ear heard, nor can it enter into the Heart of Man to conceive.*

Thoſe that have *Hope*, ſhall be as *Mount Zion*, that ſhall not be Removed: Thoſe that have *Firm Hope*, there is nothing can diſturb them; becauſe *David* ſaith, *That* God *is round about His, that do hope in Him, as the Mountains are round about* Jeruſalem.

I come to the Third Virtue, and that is *Charity*. It's true, now this Body of mine in this Shipwrack, is full of Sin; but when that Shipwrack is over, I ſhall come to inherit that *Rock*, that ſhall never fail. Now, wellcom Shipwrack, that makes the Body ſuffer, but brings the Soul to that Haven which is Joyful. Now many there be, that talk much of *Charity*, few underſtand it, and fewer that practice it. This is the greateſt Virtue. 1 *Cor.* 13. *Though you ſpeak with the Tongues of Men and Angels, and have not* Charity, *it availeth nothing.* So then, we ought to have *Love* and *Charity*, or elſe it prevaileth nothing.

'Tis Expected I ſhould ſay ſomething of the Plot: as to this, I ſhall declare two points of my faith.

*Firſt*, I believe, that all are bound to obey the King and his Laws.

*Secondly*, I do declare, that thoſe that do break the Law in Word, or any Action, that doth Act any thing againſt his Majeſties Life, that it is a ſin unto damnation, as much as it was a ſin in *Judas* to betray Chriſt. An Oath, is taking God to witneſs; and is as much as if he took his Life and Juſtice to ſtake; ſo that he that takes a falſe Oath, is guilty of deſtroying the Life of God, and his Juſtice, and of his own Damnation: And if I were but Guilty of this, I do declare, that all the ſin of Damnation would fall upon me, becauſe I denyed the truth, and ſo ſtruck at God by my ſin, by denying of the Truth, that one Damnation.

A Second Damnation is, that if any man know of an evil againſt his Majeſty, his Kingdome and Nation, and to hide, or not diſcover it, he ſhall Anſwer for thoſe Miſchiefs that come thereby: ſo that a man would have made and Committed as many ſins as there are men in *England*, that had ſuffered.

A Third Damnation is, to die in this Lie, and with this perjury in his mouth; that he loſes Heaven and all the enjoyments, and dies in greater ſins than the Devils themſelves.

*Fourthly*, I ſhould have been Guilty of my own death, for that Juſtice *Atkins* offered me my Life, if I would confeſs what I knew of the Plot; which had

had I known, and not diſcovered, would have made me the Cauſe of my own death, which would been a fourth Damnation.

I would have ſaid more, but that I gave my ſpeech to a friend to be printed.

Mr. *Sheriff.* I Pray Sir, ſpeak on what you have to ſay, and no one ſhall interrupt you.

Mr *Johnſton.* Now I have no more to do, but to make my addreſs to Almighty God with all the powers of my ſoul, that I may have his mercy and pardon of my ſins; and therefore I beg, that all the Catholicks that joyn in union of this ſame Faith, would make an addreſs unto God for me, that we may receive pardon for our Sins: I have nothing now, but wiſhes left; I wiſh I may Imitate *David* in his Repentance, and that *My Eyes may run down with Tears, becauſe I have not kept God's Laws.* I wiſh with the prophet *Jeremiah*, that *Rivers of waters may fall from my Eyes, by reaſon of ſin*, Lam. 3. 48. But Tears will not be proper to me at this time, I have kept my ſelf from them, leſt by ſhedding Tears, ſome might ſay, I was unwilling to die, or feared death: but inſtead of Tears, I offer all the Blood in my veins; and I wiſh every drop were an Ocean, and I would offer it up unto God; and I wiſh, that I might become a Man like *David*; I wiſh I had *Mary Magdalens* penitential Tears; I wiſh I had her Arms to embrace the feet of mercy; I wiſh I had all the Graces of Saints and Angels, and I would offer them all to God for the Remiſſion of my ſin: this is my deſire, and this I wiſh for, as much as is in me. I offer firſt my Life, and I beſeech and deſire of God, to turn his face from my ſins, but not from me. I offer up my Life in ſatisfaction for my ſins, and for the Catholick Cauſe: and I beg for thoſe that be my Enemies in this my death, and I deſire to have them forgiven, becauſe I go to that World of Happineſs, ſooner than I ſhould have gone. And humbly beg pardon from God and the World; And this I beg for the Merits and Mercy of *Jeſus Chriſt.* I beſeech *God* to bleſs his Majeſty; and give him a long Life, and happy Reign in this World, and in the World to come. I beſeech God to bleſs all my Benefactors, and all my Friends, and thoſe that have been any way under my charge. I beſeech God to bleſs all the Catholicks, and this Nation, and his Majeſties privy Council; and grant that they may Act no otherwiſe, than what may be for the Glory of God, *Luk.* 12. *who will bring to light and to judgement all, both good and evil.*

So I beſeech God, that he will give them Grace to ſerve him.

I beſeech God to Bleſs the Parliament that is now in Election, that they may determine nothing, but what they themſelves do hope to be judged by at the laſt day.

I beſeech *God* to bleſs all that ſuffer under this Perſecution, and to turn this our Captivity into Joy; that they which Sow now in Tears, may Reap in Joy.

I beſeech *God* to ſave the Death of my Body, and to receive my Soul. I have no more to ſay.

Mr. *Sheriff.* I give you no Interruption, but only whereas you ſaid, *That you Dyed for the Faith*; that is not ſo: You do not Dye for that; but becauſe you being his Majeſties Subject, received Orders from the *Church of Rome*, beyond the Seas; and came again into *England*, contrary to the Law.

Mr. *Johnſt.* That was pardoned by the *King's* Act of Grace.

Mr. *Sher.* That Act pardoned only Crimes committed before the making of it; but not thoſe done ſince, as your Continuance in *England* was.

Mr. *Johnſt.* I am ſorry, if I have given Offence in any thing I have ſaid: My Reaſon for it was, becauſe when I was ſent for to the Judges upon *Sunday*-Night, Judge *Atkins* told me, *I Dyed not for being concerned in the Plot, but for being a Prieſt.*

Mr. *Sher.* No, but for your Continuance in *England* againſt the Law, (being a Prieſt.)

Mr. *Johnſt.* *God* Receive my Soul.

Mr. *Shar.* Sir, You may take your own time, and you ſhall have no Interruption. Sir, Will you be pleaſed to have your own time.

*Taylor.* Sir, Pray give the Signe, when you pleaſe to be Turned Off.

Mr. *Johnſt* I will give you no Signe; Do it when you will

(*And ſo he was Executed.*)

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AND thus this *Popiſh* Faction deſign to delude the World, by pretending that they dye only as Martyrs for their Religion; This Prieſt, with great Aſſeverations denies his knowledg of the Horrid and Damnable Plot, wherein we have not much reaſon to give credit to him, ſince it has been lately ſo fully and undenyably demonſtrated, That Lies, Equivocations; yea and the moſt ſolemn Aſſeverations to an untruth, even at the laſt Moment, is not only Lawful, but Meritorious, when it may advance the Intereſt of *Holy Church*. Beſides, if I forbid a man to come into my Houſe upon pain of death, and he will be ſo obſtinate, notwithſtanding he knows the penalty, to ruſh in upon me, if he loſe his Life in the Quarrel, he will be Judged by all wiſe men to dye like a Fool, and his blood is upon his own head. Again, we are fully ſatisfied, that whoever ſhall ſeduce any of the Subjects of this Kingdome to the Popiſh Religion, does at the ſame Inſtant, make the Perſon Seduced a Rebel and Traytor againſt his Prince and Countrey; ſince in a Letter written by that bleſſed Saint *Harcourt*, lately departed at *Tyburn*, He does there allow his Proſelytes to take the Oaths of Allegiance and Supremacy; reſerving the ſence they take it in, to themſelves; whereby we may evidently perceive, that they make uſe of Religion only as a Politick Engine, which they manage as may beſt ſerve their curſed deſigns; and that no Oaths, Teſts, or Obligations whatſoever, can poſſibly bind or oblige them, but that they may be Indulged in breaking or evading the force thereof, which our wiſe Anceſtors were very ſenſible of; and therefore with great prudence made this Excellent Law againſt their Leaders, ſince (if a Factious Prieſt have the ſole Command of the Conſcience, and that whatever he Commands muſt be indiſpenſable obeyed) no Prince, nor Government can poſſibly be ſafe or ſecure; and therefore Perſons of ſuch Principles as the *Romiſh* Clergy avow and own, ought with the greateſt Reaſon to be hooted out of the World, as being the moſt curſed, and dangerous Enemies to man-kind. Let us therefore conclude with the Prayer of the Church in the Old Liturgy.

*Be thou O Lord our mighty Protector, and ſcatter our Cruel Popiſh Enemies, who delight in Blood, ſtrengthen the hands of our gracious King, the Nobles, and Magiſtrates of this Land with Judgment, and Juſtice, to cut off thoſe workers of Iniquity, whoſe Religion is Rebellion, whoſe Faith is Faction, whoſe practice is Murthering Souls and Bodies, and to root them out of the Confines and Limits of this Kingdom, that they may never prevail againſt us, nor Triumph in the Ruine and deſtruction of thy Church and People.* Amen.

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FINIS.

228.

London.
K. Middlesex
Sessions. Old-Bailey.



# THE PROCEEDINGS AT THE SESSIONS At the Old-Baily,

*August* the 27th and 28th, 1679.

CONTAINING

The several Tryals of a great number of notorious Malefactors,

And particularly

Of *PETER du VAL & THO. THOMPSON*,

Condemned for Murder:

And all other remarkable Occurrences there.

With the true Number, Names, & respective Crimes of all that received Sentence of Death, were Burnt in the Hand; together with Six and thirty to be Transported.

THis Sessions beginning at the *Old-baily* on *Wednesday* the 27th of this instant *August*, the first remarkable Tryal was of *Peter Duval*, formerly keeping a Tobacco and Strong-water-shop neer St. *Giles's in the Fields*, and *Tompson* a Taylor his Companion; who having left, or rather out-run their Trades, were lately turn'd Bullies: and having, according to the fashion of such people, associated themselves with two Baggages of the other Sex, going to take a walk, as they pretended, to *Marybone*, about ten or eleven a Clock in the Evening happened in *So-hoe*-fields to come up to a parcel of honest poor men, who after their labour were refreshing themselves with a pot of Drink, and innocently sitting together at the door of an Ale-house: when they came near, *Duval* took upon him to examine them, asking *Who was there?* to which being answered, *Honest men*, he persisted to inquire if they *were the Watch*; and they saying they were not, he replied, then *you are Rogues*: Upon which one *Jenkins*, somewhat scurrilously, return'd a foolish ill-bred Phrase, *Mine Ar — upon you.* This so heated *Duval*, that he began to swear he had a mind to cut them all to pieces, and that they deserved it for affronting of *Gentlemen*; and to make good his words, drew his Sword, but by the mediation of one of the Company, a lame man, who happened to know him, he put it up again, and delivered it to the woman he led, and went away some small distance; but swearing terribly all the while, and presently in a fury return'd, offering to fight

with any of them; and while he was a quarrelling with them, *Tompſon*, *Duval*'s Comrade, drew his Sword, and made at the other men; and the ſaid *Jenkins* ſeeing him coming, and the lame man to be in danger, caught away his Crutch to keep off the Sword; but *Tompſon* following his paſſes after *Jenkins*, who retreated, and by the unevenneſs of the ground fell down, he run him into the Belly, whereof he immediately died. So that they both being concern'd in the Quarrel, and *Duval* aiding and abetting the Murther, and no Weapon drawn or blow ſtruck by the other Party, they were both found guilty of the Murther; and their two women who came in for Witneſſes to excuſe them, being perſons of Ill fame, were Committed.

Two men, one of them an Houſe-keeper in *London* hard by the Church at *London*-ſtone, were found guilty of ſtealing between four and five hundred weight of Lead off from the ſaid Church; to which his houſe was ſo near, that by laying a Board from his window they could eaſily get upon the roof of the Church, where this Lead lay in ſheets rol'd up ready for uſe; but the noiſe being heard by ſome of the Watch, they were taken in the manner, and ſome of the Lead found in his houſe. There was another young fellow a Shoemaker indicted with them; but he appearing to have been drawn in by the others, and that he had always heretofore behaved himſelf honeſtly, he was Acquitted.

One *Abigail Hains*, charged but two Seſſions ago for Firing an Ironmongers houſe that was then her Maſter, but for want of full Evidence, and for that the Fire was happily ſeen and prevented, without much damage, ſhe then got off; but now was Indicted for another Exploit: coming to live as a Maid ſervant with one *Blagrave*, a pretender to Phyſick, in *Clarken well*; ſhe had not been there above three days, but ſhe took an opportunity to Rob him of a Gold-Chain and Medal, a Watch, divers pieces of Plate, ſeveral rich Cloaths, ſome Money, &c. in the whole to a very conſiderable value; But upon diligent ſearch after her, ſhe was apprehended and had before the Juſtice, confeſs'd the Robbery, and ſo was now Convicted.

A Man and four Women were Indicted for Stealing of Goods: being met with them in a ſuſpicious manner in the Fields, very early one morning, by certain honeſt men, they ſeiz'd them, and on inquiry found they had robb'd a woman that was a Quaker, who would not proſecute her ſelf, but got a Friend to be bound to do it: but by reaſon of the ſaid Quakers refuſing to give Evidence, there not being at preſent ſufficient proof againſt the Priſoners, the Jury was diſcharg'd of them, and order given to make their She-friend appear next Seſſions; which if ſhe were not free to do, then is ſhe to be caſt into Bonds.

A Cooks Girl was found guilty for robbing her Miſtriſs, by breaking open a Trunk, and taking away a large parcel of broad pieces of Gold, Guinnies, Rings, and other things of value, and then locking the door, and leaving the Key at a Neighbours, fled; but was ſoon apprehended, and acknowledged the Fact.

On Wedneſday in the afternoon, a Gentleman of Quality received his Tryal, for killing another that was his Kinſman, in the *Temple-lane*; the circumſtances appeared to be thus: That the Priſoner being with ſome Gentlemen at the *Devil Tavern* in the evening, the Captain ſince killed, with ſome others, came into their Company, where he ſeemed much diſcontented, and pulling out a few ſhillings, ſaid, that was all he had left of 200 *l.* in a few days ſpace; intimating, that he had been at play; and propoſed to go to play with any of the Company, but all declined it: then he demanded four pound, that he ſaid the now Priſoner ſhould owe him; who declared, that he knew nothing of it; and the other inſiſted, that he did owe him ſo much, by the ſame token that ſuch another Gentleman, then in the Company at the ſame time, ow'd him 15 *s.* but that other Gentleman affirmed he knew nothing either of the one or the other, which put the Captain into a farther paſſion; but the Priſoner generouſly told him, they would talk of this Debt on the morrow,

and

and if he could make it appear, he would readily pay him; and ſo they ſeemed to be made good friends, and the Company broke up, the Priſoner going firſt, and the Captain following, was ſeen to take him by the hand, and embrace him with the reſt of the Company, thinking to be in kindneſs, they did not much obſerve them further, till miſſing them in the ſtreet, within two or three minutes, about half a ſcore yards down the *Temple-Lane*, they found them on the ground, the Priſoner uppermoſt, both their Swords drawn, but the Captains out of his hand lying by him, and he mortally wounded, whereof within few days he dyed; but firſt with a moſt Chriſtian and commendable charity, he both to the Miniſter who Adminiſtred the Sacrament to him, and to the Woman of the Houſe where he lay, and to ſeveral Gentlemen, who all teſtified the ſame, did freely acknowledge, that his Death was occaſioned by his own raſhneſs; that he inticed down the Priſoner (whom he confeſſed to have been the beſt friend he ever had in the world) into the Lane, and then drew upon him, without any provocation, who defending himſelf, this Accident hapned; upon which proof from his own mouth, and for that there was not the leaſt colour of any prepenſed grudg, and that the Priſoner himſelf was alſo wounded, the Jury could not find it any more than Manſlaughter, for which he immediately took his Clergy, and was admitted to Bail, till he might procure a Pardon, in form, as to the Burning in the hand.

Four young Gentlemen Scholars of *Weſtminſter* School, charged with killing a Bailey that came to make an Arreſt near that School, which they pretend priviledged from ſuch attempts, ſhould likewiſe have been tryed this Seſſions; but the Coroner declaring, that the Kings Evidence was not ready, and that there were about ſeven more of the Scholars ſuppoſed to be concerned in the Fact, who abſconded, they were put off till the next Seſſions; and in the mean time, after ſome mature conſideration of their Youth and Quality, to prevent the inconveniencies that might attend their continuing ſo long amongſt ill company in cuſtody, were admitted to extriordinary Bail.

One *Goddin*, (formerly a Barber) a notorious Highway-man and Thief, Captain of a Gang, who by way of Reverence uſually called him *Daddy*, was Indicted for a Felony in *London*, which appeared to be a Burglary in a perſon of Qualities Houſe in *Buckinghamſhire*, where he and four or five more calling in the evening by a counterfeit voice and name, got the door open, ruſht in, and took away a very conſiderable Boot, in Money, Plate, &c. The chief Evidence was one of his own gang, who was with him there, and ſet forth many other Burglaries, Robberies on the Highway, &c. they had engaged in together; ſome of the Plate was taken in *Redcroſs-ſtreet*; but it not appearing that the Priſoner carried it thither, or brought any of it farther than *Southwark*, it could be no Felony in *London*; ſo he was ſet by in order to Tryal at Aſſizes for *Buckingham*.

One Mr. *Abel Bethſorrel* was Arraigned for taking away a great parcel of Goods out of a Womans houſe in St. *Martins*, in the day time, and the Witneſſes ſwore it roundly; but when the Priſoner came to make his defence, produced a Bill of Sale under her hand and Seal, for thoſe and all other her Goods for 20 *l.* which ſhe could not diſown, ſo that the proſecution was declared to be wholly malicious, and he honourably acquitted.

*Jane Byworth*, an old ſhop-lift, and not long ſince burnt in the hand, was tryed for ſtealing a piece of Ribbon; her Gallant who was with her in the ſhop, and committed, but ſince bailed out, had confeſſed it, and offered Compoſition for her, but he not appearing, and for that poſſibly he might do it himſelf without her knowledge, the Jury was favourable, and brought her in not guilty. So they did likewiſe one *Mary Bolds*, charged with picking five pounds out of a womans pocket near the Monument, but ſhe would not ſwear directly the Priſoner had it.

*Edward*

*Edward Swinney* and Mr. *Henry Harriſon*, were tryed for killing one *Jones*, a Baylies Follower in *Lincolns-Inn-fields*, on the 8th. of *Auguſt*: A Bill of *Middleſex* being brought to the Sheriff, and thereupon a Warrant granted againſt *Harriſon*, for 60*l.* owing to a Tailor; one of the Sheriffs-Baylies, and five Followers or Aſſiſtants waited to take him, who came out of his dwelling in *Lincolns Inn-fields* in the afternoon, accompanied with *Swinney* the priſoner, and another *Swinney* his Brother, who is not taken; but Mr. *Harriſon* (as 'tis thought) perceiving the Baylies ſtruck out of the path, and haſtned down to recover *Lincolns-Inn* back-gate, near which he made a ſtand, and the Bayhes did not think fit to attack him there; but one of them, named *Jones*, turned down towards *Shire*-Lane, upon which *Harriſon* call'd to him, and with Oaths and ill-Names ſaid, they were Baylies that dogged him, and called to the other two, to draw their Swords and kill them: hereupon, the Chief Baylie (as they all ſwore) gave him the words of the Arreſt, and deſired him to obey the Kings Writ; but inſtead thereof, they came on with their Swords, and the ſaid *Jones* engaging with *Swinney*, the Priſoner was by him ſlain: This was what the five Bayliffs now ſwore; and 'twas obſervable, that there were no Witneſſes for the King but they; who likewiſe ſwore they had but two Swords amongſt them. But for the Priſoners, ſeveral Witneſſes teſtified, that the ſaid *Jones* firſt aſſaulted *Swinney*, and that they heard no words of Arreſt, and that the Baylies had four Swords drawn. The Caſe ſeem'd to lye very hard on the Priſoners; the Writ and Warrant were proved: Five Bayliffs ſwore they did give *Harriſon* the words of Arreſt; and if ſo, the Killing of *Jones* in execution thereof muſt needs be Murder. But whether the Jury did not think fit to credit them, ſo it was, they only found the Priſoners guilty of Man-ſlaughter; who praying their Clergy, were Burnt in the Hand. And becauſe the Court highly reſented their Crime, thought it too much extenuated, they Committed them both back again to *Newgate*, for Eleven Months, without Bail or Mainprize.

One *Tho. Laurence* a Waterman, having on the 18th. of *March* was twelvemonth, killed one *Tho. Palmer* at *Chiſwick*, with a blow on the head with a ſtretcher, in a fray, was likewiſe burnt in the hand.

A Carpenter was Indicted for Robbing a poor Woman, keeping a Cooks ſhop in *Magpy-yard*, by breaking open a Trunk, where he and another were ſuppoſed to Dine; but ſhe having never ſeen him but that time, till ſhe apprehended him on ſuſpition, and he proving by five Witneſſes, that he was all that day at work, at Juſtice *Riches* over the water, was acquitted.

There were in all Five perſons that received Sentence of Death, *viz. Tho. Thompſon*, and *Peter du Val*, for the Murther before-mentioned: *Richard Wheeler*, guilty by his own Confeſſion of two Indictments, one for ſtealing a bay-Mare, and the other for a Sword, Coat, Boots, 57*s.* in Money, and ſeveral other Goods at *Totnam*: *Abigal Haines*, for Robbing Doctor *Blagrave* her Maſter: and *Margaret Taylor*, a Girl, for Robbing her Mitriſs, and refuſing to tell what ſhe had done with the Gold and Goods ſtollen.

There were alſo Seven Burnt in the Hand, Mr. *Swinney*, Mr. *Harriſon*, and *Tho. Lawrence*, for Manſlaughter; *Joſeph Sharp* and *Tho. Cornwell*, for Stealing of Lead from the Church. *Tho. Dodd* and *Edw. Hardy*, for ſeveral Felonies.

Beſides theſe, there were no fewer than Six and Thirty Men and Women, that within theſe Six Moneths laſt had been Condemned to Dye, and had obtain'd Reprieves, who now all did on their Knees plead his Majeſties General Gracious Pardon, on Condition of Tranſportation; among whom was one *John Morgan*, Condemned the ſecond of *May* laſt for being a Popiſh Prieſt, who could very hardly be brought to accept of this Pardon, or to Kneel whilſt it was read, alledging that he had committed no Crime, needed no Pardon, had not ſued for this, *&c.* But as before, the Teſtimony of Doctor *Oates* and others that he was ſometimes maddiſh, got him into the Pardon, ſo now the conſideration thereof excuſed his extravagancy.

*FINIS.*

THe Information of *Thomas Ruſſel* one of the Warders of the *Tower*, who had the Cuſtody of the Earl of *Eſſex*, taken the Fourteenth day of *July*, *Anno Regni Caroli Secundi*, *Dei Gratia Angliæ*, *Scotiæ*, *Franciæ*, & *Hiberniæ Regis*, *Fidei Defenſor'*, &c. *Triceſimo Quinto*, *Annoq; Dom.* 1683.

SAith, That on *Friday* the Thirteenth Inſtant, about Eight or nine of the Clock in the Forenoon, he was preſent when he did hear the Lord of *Eſſex* call to his Man Mr. *Bomeny* for a Pen-knife to pare his nails, and then for a Raſour, which Mr. *Bomeny* brought him, and then my Lord walked up and down the Room ſcraping his nails with the Raſour, and ſhut the outward door; Mr. *Bomeny*, half a quarter of an hour afterwards, not finding my Lord in his Bed-Chamber, went down ſtairs again, believing that my Lord was then private in his Cloſet. *Bomeny* came up about a quarter of an hour afterwards, and knocked at the door, then called, My Lord, My Lord, My Lord; but he not anſwering, peeped through a Chink of the door, and did ſee the Earl of *Eſſex* lying on the ground in the Cloſet, whereupon he did cry out, That my Lord was faln down ſick; and then this Informant went to the Cloſet-door, and opened it, the Key being on the outſide, and then did ſee my Lord lie on the ground in his bloud, his Throat being cut.

*Tho. Ruſſell.*

The

THe Information of *Robert Sherwood* of *Fanchurch Street*, Chyrurgion, taken the Fourteenth day of *July*, *Anno Regni Caroli Secundi*, *Dei Gratia*, *Angliæ*, *Scotiæ*, *Franciæ*, & *Hiberniæ Regis*, *Fidei Defenſor'*, &c. *Triceſimo Quinto*, *Annoq;* *Dom.* 1683.

SAith, That he hath viewed the Throat of the Earl of *Eſſex*, and does find that there is a large Wound, and that the *Aſpera Arteria*, or Wind-pipe, and the Gullet, with the *Jugular Arteries*, are all divided: Of which Wound he certainly died.

*Robert Sherwood.*

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THe Information of *Robert Andrews* of *Crutchet Friers* Chyrurgion taken upon Oath the Fourteenth day of *July*, *Anno Regni Caroli Secundi nunc Regis Angliæ*, &c. *Triceſimo Quinto*, *Annoq;* *Dom'* 1683.

SAith, That he hath viewed the Throat of the Lord of *Eſſex*, and does find, That it was cut from the one *Jugular* to the other, and through the Wind-pipe and Gullet, unto the *Vertebres* of the Neck, both *Jugular* Veins being alſo quite divided.

*Robert Andrews.*

*Turr' London ſſ* AN Inquiſition Indented, Taken at the *Tower* of *London*, in the County of *Middleſex*, the fourteenth day of *July*, in the Five and Thirtieth Year of the Reign of Our Soveraign Lord *Charles* the Second, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland* King, Defender of the Faith, &c. *Anno Dom.* 1683. before *Edward Farnham* Eſq; Coroner of the ſaid Lord the King, of the Liberty of the *Tower* of *London*, upon view of the Body of *Arthur* Earl of *Eſſex* then and there lying Dead, by the Oaths of *Daniel Colwell* Eſq; *William Fiſher*, *Thomas Godfel* Eſq; *Thomas Hunt*, *Nathaniel Mountney* Eſq; *Thomas Potter*, *William How*, *Robert Burgoine*, *Eleazar Wiggins*, *Thomas Hoggsfleſh*, *Henry Cripps*, *Richard Rodder*, *William Knipps*, *John Hudſon*, *John Kettlebeater*, *Lancolet Colſon*, *Morgan Cowmon*, *Thomas Bryan*, *William Thaxton*, *Richard Coffe*, *Zebadiah Richard*, *William Bayford*, and *Theophilus Charter*, good and lawfull men of the Liberty of the *Tower* of *London* aforeſaid, who being Charged and Sworn to enquire how and in what manner the ſaid *Arthur* Earl of *Eſſex* came to his Death, upon their Oaths ſay, That the aforeſaid *Arthur* Earl of *Eſſex* the Thirteenth day of *July*, in the ſaid Five and thirtieth Year of his now Majeſties Reign, at the ſaid *Tower* of *London*, in the ſaid County of *Middleſex*, about the Ninth hour of the ſame day in the Forenoon, not having God before his eyes, but

but being moved and ſeduced by the Inſtigation of the Devil, of his Malice forethought at the *Tower* of *London* aforeſaid, in the ſaid County of *Middleſex*, then and there being alone in a Cloſet, with one Raſour of the value of one ſhilling, Voluntarily and Felonioufly Cut his Throat, and did thereby give himſelf one Mortal Wound, it being cut from the one Jugular to the other, and through the Wind-pipe and Gullet unto the *Vertebres* of the Neck, both Jugular Veins being alſo quite Divided; of which ſaid Mortal Wound the ſaid *Arthur* Earl of *Eſſex* inſtantly Died; and thus the aforeſaid Jurors, upon their Oaths ſay, That the aforeſaid *Arthur* Earl of *Eſſex*, in Manner and Form aforeſaid, did Voluntarily and Felonioufly, as *Felo de ſe*, Kill and Murther himſelf, againſt the Peace of our Lord the King, His Crown and Dignity. In Witneſs whereof as well I the ſaid Coroner, as the Jurors aforeſaid, to this Inquiſition have put our Hands and Seals, the Day and Year aboveſaid.

*Vera Copia Examin'cum Originali,*
*Per* E. FARNHAM.

---

FINIS.

531

# A TRUE RELATION OF THE Names and Suspected Crimes Of PRISONERS now in NEWGATE, to be Tryed for their Lives at the *Old Bailey* this 15 of *October* 1679.

## For the High-way Robberies, Murders, Houſe-Breakers, Clippers of Money, Horſe Stealers, Pick-Pockets, Shop and Houſe Lifters, &c.

*Jane Blackwel*, for Murdering her Child.
*Rachel Sandenian*, for Stealing ſix Petticoats.
*John Heydon*, for Robbing on the Kings High-way.
*Elizabeth Dyke*, for Murdering her Child.
*Rebecca Rudd*, for Murdering her Child.
*John Dickins*, for Robbing on the Kings High-way.
*Elizabeth Brown*, and *Deborah Rogers*, for Stealing Goods out of a Shop.
*Henry Smith*, for Breaking open a Chamber Door, and Stealing Gold and Silver.
*Maurice Barnes*, for Stealing a Horſe.
*William Robinſon*, for a Cheat.
*Feaby Hogg*, for Stealing a Gown.
*Elizabeth Ford*, for Stealing out of the Shop of Mr. *Smith* to the Value of 3000 *l.*
*John Stoaks*, for Stealing two Parcels of Goods.
*Elizabeth Hutchins*, for Stealing a Silver Tankard.
*Edward Jarvis*, for Breaking open a Houſe.
*Jane Pool* and *Suſanna Smith*, for Stealing a Parcel of a Black peices of Lace.
*Daniel de Coyner*, for Coyning.
*George Jones* and *Elizabeth* his Wife, for Stealing a Parcel of Ribbon.
*Isabella Margood*, for Wounding her Husband.
*Anthony Weſton*, for Counterfeiting a Bill of Exchange.
*William Banks*, for Coyning His Majeſties Money.

*George*

*George Butler*, for Breaking the Gaol of *Chelmsford*.
*Thomas Richardſon*, for Marrying two Wives.
*Charles Pain*, for Picking of Pockets.
*John Veal*, for Stealing of a Horſe.
*Mary Tarwood*, for Picking of Pockets.
*Stephen Puſhworth*, for Cheating.
*Robert Roſe*, for Breaking the Gaol of St. *Edmundbury*.
*George Coleman*, for Shop-Lifting.
*Joſeph Rapier*, for Felony, in Breaking open a Butt of Currans.
*William Robinſon*, *Daniel Morgan* and *Stephen Andrews*, *Ruſſians* to go to *Windſor*, and there to Aſſaſſinate His Majeſties Royal Perſon.
*Thomas Beauchamp*, for Stealing a Horſe.
*Benjamin Pendrin* and *John Allen*, alias *Wilams*, alias *French*, for Robbing on the High-way.
*Iſaac Whitacre*, and *Charles Mitchen*, for Stealing ſeveral Parcels of Silver Plate.
*Robert Truin*, for Stealing Carpenters Stools from his Maſter.
*Hannah Andrew*, for Breaking the Lock of her Miſtreſs Cloſet and Trunck.
*John Doegood*, for Killing a Bailiff.
*Richard Cox*, for Stealing Hoggs.
*George King*, for Breaking open his Maſters Counting Houſe and Stealing Silver and Gold.
*George Hudſon*, for Stealing a Boat from the River of *Thames*.
A perſon for Diſperſing Books that tend to Defaming of His Majeſties Royal Perſon, and of His Judges.
*Sarah Ewin* and *Elizabeth Gowdon*, Shop Lifters.
*Martin Bare*, for Stabbing of a man.
*John Child*, for Stealing of a Silver Tankard.
*George Parry*, for Stealing a Diamond from his Miſtreſs.
*John Johnſon*, alias *Hurſt*, and *Maurice Hunt*, for Robbing on the Kings High-way.
*John Hogbin* and *Nicholas Barrel*, for Cheating His Majeſties Cuſtom.
*Edward Grady*, Shop Lifter.
*Edward Richardſon* and *Sarah Spillman*, for falſe Bailing of Priſoners, whereby they have been Diſcharged.

*F I N I S.*

515. l. 2
32.

# A TRUE NARRATIVE OF THE CONFESSION AND EXECUTION Of the three Prisoners AT TYBURN,

On *Wednesday* the 21th of this Instant *January* 1679.
*Viz. Peter Richardson, Thomas Gold, John Maccarty.*

As also the Account of the taking three Notorious Highway-Men, who Robbed the *Ipswitch* Coach of four hundred Pounds.

MOst admirable is the protecting care of Omnipotent providence, to keep the Sons of Men from running headlong on their own destruction, nay even in the very Jaws of Death, faign would stop their dangerous Carreer: But oh! So prone are the vile hearts of disobedient Miscreants, that many are affected with their own destruction whilst it shews it self from far, and only seems to threaten, as may be seen in the dread Catastrophy of certain miserable Criminals, whose great Offences against the Nations Laws committed, have pull'd a dreadful Ruine on their Heads, not only painful, but likewise shameful Deaths.

The first of which we shall begin with in this Trajeck Sceen, is *Roger Swinny*, who was Indicted and Arraigned, for that he in the Company of *Edmund Swinny* his Brother, and one *Harrison*, did Murther Richard *Jones* a Bailiffs follower, near *Lincolns Inn-Gate* in the little Fields, the nature of the Crime as followeth. A certain Bailiff having a Bill of *Middlesex* against the aforementioned *Harrison*, for about sixty pounds Debt, came to take him, attended with five Followers, whereof the deceased was one; but the aforesaid *Harrison* having timely notice of the same, sent for the Prisoner (as the Bailiffs swore in Court) to Guard him into *London*, so that crossing over the nearest way, they quite outstrip'd the Bailiffs, and might have gon into *Lincolns Inn*, and so avoided the danger, but in a Bravado, they turned about, and dared them for to come on, at which they and the Bailiffs drew; and in the Skurmish *Jones* received one mortal wound in his Breast, about half an Inch over, and five inches deep; at which, Reeling for a while, then cried I am kill'd and spoke no more. The Prisoner denied that he had drawn his Sword but in his own Defence, and that they drew upon him first, and what he did was to preserve his Life; being

 assaulted

aſſaulted by thoſe Men, and that he knew not their Deſign; but the Bailiffs and their Followers ſwore deſperately to all the circumſtances, and one ſwore point blanck, that ſome days after the Murther was paſt, he met the Priſoner, who had then eſcaped, who called to him, asking him if he knew which way *Jones* was gone, adding that he ere long ſhould follow him, upon theſe circumſtances he was brought in guilty of Fellony and Murther, and received the dreadful Sentance of corporal Death; after which, his Pen tence in *Newgate* was extream, bewailing his misfortune, and imploring Mercy for his Soul, giving great attention to the Miniſters that came to viſit him.

The next was *Peter Richardſon*, for breaking open a Gentlemans Chamber in *New-Inn*, and Felloniouſly bearing thence, in Guinnies, broad Gold and Silver, to the vallue of one hundred and ten pounds, the Robbery was proved againſt him by his own Confeſſion, for he lodging at the Bull, a Victualling Houſe near the aforeſaid Inn, he lived at an ordinary Rate, ſeldome being Maſter of any monies, when on a ſudden he to the amazement of his Landlord abounded both in Gold and Silver, pulling out whole handfuls of Guinnies and half Crowns, ſoon after which, the Gentleman coming to his Chamber found his Cheſts broke open and his moneys gone; the which he declaring to the Porter of the Inn, the noiſe of the Robbery ſpread wide, ſo that it coming to the Ear of the Priſoners Landlord, he acquaints the ſaid Porter with the laviſhneſs of his Tenant; who giving the Gentleman notice thereof, they thought fit to ſeize him upon ſuſpicion, the which being done, they ſecured him at the Roundhouſe for that Night, where as it was ſworn in Court, he confeſſed that he in the company of three more, did break open the ſaid Chamber and enter, and after bear away the ſaid monies, throwing the Key into the Garden, this in Court he denied, but his Confeſſion being made appear, he was found Guilty of Fellony and Burglary, and received Sentance according to Law.

After his Condemnation, and the dreadful Sentance of Death had paſſed upon him, he began to bewail his evil Courſes, and bewailed him of his miſpent time, declaring that pernicious Company, had been the Cauſe of his unimely end, and being asked if he were Guilty of the Robbery, he could not deny but he had ſhare of the monies, peſiring pardon for the wrong he had done, and ſo continued penitent, till he had changed this Life for an Eternal State.

*Thomas Gold* a notorious Offender was Indicted, Arraigned, and Condemned for breaking open the Houſe of one Mrs. *Haris* in the Pariſh of *Hornſey* in the County of *Middleſex* between one and two in the Morning, where in the Company of three more entering, ſurpriſed the Woman and her Children in bed, and roaled them up in the Bed-cloaths, till ſome of them ranſacked the Houſe, and others went to bind the Servant-maid, who lodged in the next Room, the which was alotted to the Priſoner to perform: who approaching her bed ſide with a dark Lanthorn and two ſtrings, bound her Hand and Foot, whilſt he was efecting of the ſame, She took particular notice of his Phyſogmony, after they had ranſacked the Houſe, they bore away fourteen Pewter-diſhes, three or ſix Plates, Childbed and

other

other Linnen, beſides fourty ſhillings in money; not long after this *Gold* was committed to *New-Priſon*, upon notice of his being a ſuſpicious Fellow, the aforeſaid Mrs. *Harris* and her Maid went to take a view of him, and no ſooner did ſhe ſee him, but ſingled him out from amongſt a number of other Priſoners, and knew him by a blow he had received on his Noſe, and a blemiſh on his Eye, in Court he pleaded not guilty, and made many proteſtations. but upon the Maids Evidence he was brought in guilty, and received Sentence of Death, he ſeemed to be an old offendor, and at firſt was obſtinate at his Trial; but Deaths approach that dreadful King of Terrors, ſoon allayed his Courage, and he melted into Tears, and doubtleſs had a feeling ſorrow for his black and moſt prodigious Crimes: for the very thoughts of vaſt Eternity is of ſuch force, that it over awes the ſtouteſt Sinner, and with trembling Horror ſeaſes every part, ſo now Fates Frowns Prevail, and he lamented ſore his wretched State even to the laſt, deſiring all to pray for his Eternal welfare.

The next in this dread Sceen of Fate was *John Maccarty* a notorious Offendor, who tho but young in years, yet old in Sin, he was Indicted for ſtealing a piece of twelve-penny broad Ribbon, valued at ten ſhillings, the proof was plain that the Priſoner was guilty of the Fellony, and being brought in guilty of the ſame, the Executioner going to ſearch his Hand, found that he had formerly been burned, ſo that he being an incorrigeable Offender, the Court paſſed Sentence of Death upon him after his Condemnation, he began to call to mind the wicked deeds that he had done, and with the reſt confeſſed at the place of Execution, that they had been vile and moſt notorious livers, and that for their ſins God had laid this Puniſhment upon them, and ſo with a hearty Admonition unto the Spectators to beware, they lefr this World to anſwer for their Crimes before the dreadful Judge of all the Earth.

Yet theſe ſad Warnings and Examples are not of a force ſufficient to deter the daring Sinners from their ſwift Carrear, in dreadful Sin; for no longer then the 14th paſt, three notorious Highway-men, viz. *Richard Hodgkinſon*, *Richard Downes*, and one *King* who robbed the *Ipſwitch* Coach on the 13th paſt, between eight and nine in the Evening, of moneys to the value of four hundred pounds, the manner thus, they riding up to the Coach-man, demanded what it was a clock, the which is commonly their Watch-word, at which he miſtruſting their deſign,

ſign, endeavoured to make what haſt he could to the next Town, which perceiving, ſtraight they beſet the Coach, and with their Piſtols cockt and Swords drawn, threatned preſent Death, unleſs the Paſſengers delivered, the which through fear they did, but not content with what they gave them, they rifled the Coach, and having got their Plunder they rode away, but being perſued with a Hew and Cry, the next day they were taken notice of by a Country-man, who at ſome diſtance followed them through the By-ways, they riding over *Hackny-Marſh* and other vacant places, yet he ſtill kept ſight of them, till coming near to *Iſlington*, he acquainted a Butcher and a Mealman with the Robbery, who likewiſe followed them till they came about the middle of *Old-ſtreet*, where they cried out ſtop Thief, which they perceiving turned head and rode back, whereupon they being perſued, two of them were taken near *Mount mill*, and one near *Iſlington*: but *Edwards* not before mentioned rode on and in *Smithfield* quitted his Horſe, and ſo eſcaped through *Hoſier-lane*, but the other were Committed to *New-gate*, where they now remain in order to their Trials. It is reported they had robbed a Gentleman but juſt before, and had about ſix hundred pounds about them.

*Roger Swinny* a little before the reſt went to the place of Execution, Received a moſt Gracious Reprieve.

*FINIS.*

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The full and True

# RELATION

OF ALL THE

# PROCEEDINGS

AT THE

# ASSIZES

Holden at

# CHELMSFORD,

FOR THE

# Countie of Essex.

575. l. 2
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Which began on *Monday* the 29th of this instant *March* and ended on *Thursday* the 1st. of *April*. With an exact Account of the most remarkable Trials of several notorious Offenders, both for Murders and Robberies.

And more especially of one *John Manchetman* a Chirurgion, for murthering his Wife, and two notorious Highway-men, *viz. Richard Downs* and *Tho. King*, and several other considerable Trials. With the number of those Condemned to dye, burn'd in the hand and to be whipt.

THe first that received their Tryals were two notorious Highway-men, *Richard Downs* and *Tho. King* who were Indicted and Arraigned, for that they on the 13th of *January* 1679. In the Company of *Richard Hodgkinson*, Executed at *Tiburn* the last Sessions, and one *Edwards*, not yet taken, Robbed *Ipswitch-Coach* of monies to the vallue of 400 pounds, the manner thus, the sad Coach being about five miles off from *Ipswitch*, the four parties abovementioned, about nine of the

Clock in the Evening came Riding up to the Coach, which was full of Paſſengers but moſt Women, and no ſooner one of them aſking what it was a Clock, which was the Word agreed amongſt them for the onset, but they fired into the Coach with their Piſtols and expreſſing ſeveral Oaths, Commanded them on pain of of Death for to Deliver, which put them into ſuch fright as freely ſurrendered up what Coin they had which not ſufliſing their covetous deſires, they ranſack farther, and when they had taken all that they could find, departed; but Hue and Cry being ſent after them they were purſued and taken e're they could reach the City of *London*, only *Edwards* eſcaping, by leaving his Horſe and running down *Hoſier Lane* in *Weſtſmithfield*; they had likewiſe robbed another Gentleman of one hundred pounds more, that alſo appeared againſt them; the Evidence was plain and poſitive, ſo that it could not be denied, whereupon the Jury brought them in Guilty of the Fellonies and Robbery, and they accordingly received Sentence of Death.

The next was *John Manchetman*, a Chirurgion, who was tried for that notorious Crime of Murthering his Wife, the circumſtances of the bloody Deed was ſworn to as followeth, the Priſoner being newly come on Shore, having been at Sea for a conſiderable time, was informed that ſhe had been over laviſh of of her Favours to a Neighbour of hers, being by profeſſion a Shoomaker; he being newly come from Sea, and coming home as it is ſaid ſurprized her too familiar with the ſaid Shoomaker, whereupon he in a Rage threatned her, yet notwithſtanding the Rage of Jealouſie, he ſeemed reconciled, but to the contrary retaining an inward hatred, which ſhe perceiving, fled to a neighbours houſe, thinking to ſtay whilſt his Anger was overpaſt, yet he with a ſeemed Reconciliation, came to invite her home, and came up to her as if he would imbrace her, but with his bloody hands he ſtab'd her with a Knife under her Right Breaſt, about four inches deep, of which Wound ſhe in a little time died, only confeſſing her innocence, at his Trial he did not deny the Fact, and after his being convicted did confeſs his Raſhneſs in proceeding on ſuch Cruelty, without the leaſt remorſe, after he was found Guilty of willful Murder and received Sentance of Death, he ſeemed exceeding Penitent, and did bewail his cruel Crime, ſhedding many Tears, that he had given himſelf over to the ſuggeſtions of the Prince of darkneſs, and ſo continued to the utmoſt.

The next was one *Lawrence White* alias Peck, a notorious High-

way

way man, being impeached by *Downs* aforementioned, was tried for ſeveral Roberies in the County of *Eſſex*, the firſt was, that he near *Braintre*, in the Company of ſome others, did ſet upon one Mr. *Marle* a Grafier on the Kings High-way, who defended himſelf for ſome time, againſt them, whereupon the Priſoner fired his Piſtol at him, but miſſing him, ſhot his Mare through the noſe but at laſt the aforeſaid *Marle* getting the Start of them, and by the goodneſs of his Mare, made his eſcape by ſwift Riding, they following him till he came within half a mile of the Town.

The next Robbery that was proved againſt him, was for taking away twenty pounds, from one Mr *Jenkins* upon *Newmarket Heath*, on the 17th of *December* laſt paſt with fles ſwore point blanck againſt him, and he being famous for his notorious Villanies, the jury found him Guilty of the ſeveral Felonies and Robberies, ſo that being convicted, he received Sentance of Death, he had formerly followed the occupation of cutting Cattel, and lived in good repute, but as he pleaded in Court, he had been inticed and drawn away by keeping Company with ſeveral notorious Offenders ſome of which have been already Executed.

*Thomas Chambers* a notorious Criminal was tried for Felony, the manner of which being thus, he coming into the Shop of one *Mary Hunt*, telling her he expected a Gentleman to come to him, that lived a little diſtance thence, and deſired her that ſeeing he did not come, ſhe would go call him, which ſhe undertook leaving only a little Child in her ſhop, but at her return her Cuſtomer was ſheard off with a fix Gallon Runlet full of Brandy, this being about eight of the Clock in the evening, ſo that though he was immediately purſued yet he could not be then taken, but was the next day as he was ſelling his Merchandice, to this Indictment he pleaded not Guilty, but the proof being plain, he was brought in Guilty and was burn'd in the hand.

*Sara Bell* was Arraigned and tried for Murthering a little Girl her Apprentice, about twelve years of Age, the circumſtances of the Murther as followeth, the ſaid Girl having croſſed her, in not performing a meſſage ſhe had ſent her of, ſhe took up a Knife which lay upon the dreſſer, and threw it at her, with ſuch an unlucky hand as the force ſhe uſed it to enter her Breſt, three inches deep, of which wound ſhe died, ſo that although the Priſoner pleaded innocence, and that ſhe intended no ſuch Cruelty, yet ſhe having often threatned her before, ſhe was brought in Guilty of Manſlaughter, and ſhe was burn'd in the hand accordingly.

*Henry Crofts* was Indicted and took his Trial, for that he in the company of two more, not yet taken, broke open the houſe of one *William Evans*, near *Burnt wood*, and thence did felloniouſly take and bear away goods, as Pewter, Brass and Linnen, to the vallue of five pounds, but the Burglary being committed in the day time, he received the benifit of his Clergy, and was burnt in the hand.

*James Matthews* for ſtealing of Sheep to a conſiderable number, from one *William Simonds*,, was likewiſe tried, and pleaded not Guilty to his Indictment, whereupon evidence were produced that he had ſold the ſame at *Rumford*, and that he had been an ill liver, ſo that not being able to bring teſtimony how he came by thoſe he ſold, he was found Guilty and was burnt in the hand.

*George*

*George Deermtr.* formerly a Horſecourſer, was Arraigned, and tried, for ſtealing a Guelding from one Mr. *Wilſon* near *Ipſwich*, vallued at five pounds, and as he was offering the ſame to ſale, was apprehended, his plea was that he bought him, and gave a legal price for him according to his true vallue, and pretended that he could prove the ſame, but his Witneſs not being to be found he was found Guilty, and among the reſt was burn'd in the hand, it being ſuppoſed the firſt Fact that ever he committed.

*James Dixon*, was Arraigned for Fellony, and having been a notorious Offendor, though the evidence was not ſo poſitive, yet by many credible circumſtances he was thought Guilty, as not being able to give an account where he was during the time of the Robberies, ſo that he was upon weighing each particular brought in Guilty and afterwards burnt in the hand.

*Arthor Paſcal*, *Edward Johnſon*, *Daniel Toppan*, and *Jeremiah Perminter* being all inconſiderable Offendors, for petty Fellonies, under the vallue of twelve pence, were ordered to be whipt.

There were in all four Condemned to die, *viz. John Manchetman* for Murthering his Wife, *Richard Downs*, *Thomas King*, *Lawrence White*, alias *Peck*, three notorious Highwaymen, there were ſix burn'd in the hand and four to be whipt, and ſo the Aſſizes ended.

FINIS.

515. l. 2
34

# THE TRUE NARRATIVE OF THE EXECUTION

Of *John Marketman*, Chyrnrgian, of *West ham* in *Essex*, for Committing a

## Horrible & Bloody Murther

Upon the Body of his *Wife*, that was big with Child when he Stabbed her.

TOo frequently do we hear of such Bloody Murthers acted by such Miscreants as have no regard to Gods Glory, nor the comfort of their own Souls; as may appear by this person whose Name was *John Marketman* a Sea Chyrurgian by Profession, a Ministers Son by Descent; and worse than a Tyrant for this his Bloody inhumane act, as by the sequel I will give you to understand, It happened not long since that this *Marketman* took to Wife one *Mary Snerlin*, with whom he lived some time in Content and Peace, but not long after suggesting to himself strange conceits of his Wife, begun to be possest with Jealou-

ne, whether with or without juſt Cauſe, I refer it to thoſe who were better acquainted with her than my ſelf but yet I hope all rational people will allow that where Jealouſie once finds entertainment in the heart of any Man or Woman, there is little hopes of any quiet life, and often begets ardent deſires of ſecret Revenge, which oftentimes launches forth into ſuch extreams, whoſe productions are miſerable and ends in Shame and Reproach as you may ſee by the abovenamed *Marketman*, who not long ſince being reſtleſs in his Mind, and fearing leſt every time she was out of his Sight that she was in the Company of him whom he believed she reſpected far beyond himſelf, at leaſt was too familiar with, which Report ſays was a Bayliff living not very far from them, grew extreamly diſconſolate, and that which more grieved this already diſcontented Soul, was, that he oftentimes was affronted and jeered about the aforeſaid Bayliff, which he ſo evilly reſented that he gave way to the Temptation of Satan, who preſently infuſed into his heart deſire of Revenge, and did ſtrongly animate him to this prodigious Cruelty, which too ſoon he barbarouſly acted in manner following.

It happened one day that he came home very much debauched and diſtempered in Drink, which his Wife taking notice of, perſwaded him to ly down on the bed, which he accordingly did, and ſleep ſoon taking poſſeſſion of his drouſy Brain quickly became Maſter of his Senſes: In the mean time his Wife not doubting but that he was ſecure

for

for ſome conſiderable ſpace, went out and locked the door, intending to return e're his nap had been ended; but in the interim he awaked, and hearing no noiſe in the houſe, began preſently to make a bad Conſtruction of her abſence, and ſtarting up, looked about for her who was not there to be found, which ſo perplexed his Jealous mind, That he violently broke open the Door and went upon the ſearch for her whom he feared was accompanied with her friend, but not finding her there, he returned, where he found her at a Neighbours Houſe: Now began Satan to prompt him on to the execution of that he had predetermined in his mind, This poor woman who was big of her firſt Child, not dreaming that his paſſion was ſo violent that nothing could aſſwage it but the loſs of her own and her poor Babes [redacted], and the letting out of her immortal Soul for the expiation of her ſuppoſed Crime, She I ſay when ſhe ſee her Husband abroad whom ſhe left locked up in the Houſe was ſomewhat amazed, but not fearing any harm went to him, who took her about the neck *Judas* like as if he intended to kiſs her, aand all on a ſudden thruſt his accurſed Knife into, if not through her poor Heart, ſo that ſhe fell down dead upon the ſpot, and that Soul wounding blow proved fatal to both Husband Wife and Child, for which Bloody and execrable Murther he was committed to the County Goal at *Chelmsford*, and there at the laſt Aſſizes received a juſt Judgment of Condemnation, and was ordered to be Hanged at the common place of Execution; but he on his bended Knees did beg as his laſt requeſt of the Judge, that he might be brought to the Town where he did perpetrate this wicked Act, there to be Executed according to his Sentence, which was Granted, and on the 17th. day of this preſent

ſent Month of *April* 1680, after a Sermon was Preached before him in the preſence of ſome Thouſands of ſorrowful Spectators, was lead to the place of Execution by his own Mother, who poor Soul drowned in Sorrow when ſhe came to the Gibbet fell in a Swoon, hardly to be recovered, and when he was upon the Ladder made a very long Speech to this purpoſe, That he had been very diſobedient to his too indulgent Parents, and that he had ſpent his Youthful days in Profanation of the Sabbath and licentious evils of Debaucheries beyond expreſſion, and that he had been over penutious in his narrow obſervance of his Wives ways, deſirous that all ſhould pray to the Eternal God for his everlaſting welfare, and with many pious expreſſions ended this mortal life. That being ended, he recommended his Soul to the Almighty, and the Executioner did his Work.

FINIS,

26

Kingston Sessions. 5 15 L 2
Old-Bailey. 25

A

# NARRATIVE

## Of the Proceedings

AT THE

# Sessions-house

## In the *Old-Bailey*, *April* 21, 1680.

### The Number of persons Condemned for High-Treason and other Crimes.

*IT would be both too tedious, and to little purpose, to publish every particular Tryal and the Circumstances of all ill Acts which were here examined, and the Actors thereof brought to Justice; we shall onely speak of the most considerable, amongst which we must account*

The business of Mr. *Harrison*, Indicted for the Murder of one Mr. *Jacob*: they lived at *Westminster*, and were both Sword-men: the party killed having a suspition of his Wife, had several times had quarrels with him about it, and fore-warned him from keeping her company; but notwithstanding, understood one day that they were together, and was so enraged, that the Prisoner thought fit to make his escape, as fast as he could backwards, to avoid his fury, who came upon him with his Sword, and made several passes at him, so that the Prisoner was obliged to draw his own Sword, which he used so unhappily, that Mr. *Jacob* was kill'd. Upon a long discussion of the whole Circumstances, Mrs. *Jacob* being an Evidence against him, he was found guilty of Manslaughter.

A bruitish fellow, said to belong to *Bridewell*, was found guilty by the Jury for *Middlesex*, for a barbarous Rape, committed on a Child not above seven years old, and very small of growth for that age; he inticed her into the House where he and his Mother dwelt, by giving her an Apple, and there began to practise his filthiness, which he pursued so far, that the Child some few days after, complaining to its Mother, who when she came to search, found her most lamentably abused: several Women, and two Chyrurgeons gave Evidence against him, making out the Crime as far as the Law requires, and the Child from the very first, and ever constantly charged him with it, and that no body else had medled with her. 'Twas proved that he had a *Gonorrhea*, or the foul disease, when he did this villany, and thereby endangered the Childs life, as well with that Contagion, as by the violence, so that he was justly found guilty

Another was prosecuted for a Rape, by a woman of about four or five and twenty years of age, but it was done, as she said, two years ago, and though she had seen the man several times, yet she never complained till now, so that it was supposed, that because he did *not come at her again*, or to get a little Money, was the chief cause and end of the prosecution.

There were a great number of Clippers and Coyners Arraigned at this Sessions, whereof several were Convicted, others Acquitted: of the former sort were Mrs *Richardson* and her Son, a brisk bold young fellow, and pretending himself a Dancing-master; another woman was Indicted with them, but Acquitted. Mrs. *Richardson* had brought a Trunk lockt to this other womans house, and set it obscurely under the Cellar-stairs; in this Trunk there were found the Tools for Clipping; likewise at home when she was taken, there were some Clippings discovered, and she cryed out of a window, and said, *she was undone*; and the Son endeavoured to fly for it, so that they were found guilty.

One *Underwood*, and a Wench he kept company with (a very courteous Lady, for at the Bar she boasted, she never had been unkind to any man in her life) were likewise Convicted of High-Treason for the like offence, much clipt Money and Clippings, and the necessary Implements being found upon them. Both these and two former lived near *Pickadilly*, and 'tis supposed, were all of a gang, or had conversation together; they were first discovered by means of a Card-match Girl, to whom this *Underwoods* Mistress boasted, that she could get a Guinney a day by this Mystery; and told her something of the way, and who held a Correspondence with them; but this Girl is since dead on a sudden, not without suspition of Poyson, to prevent her Testimony: however, there was enough without her to do their business, being both found guilty.

Another person who drove the same Trade alone by himself, was also found guilty: the matter was proved so plainly on him, that there could be no doubt or difficulty made of it.

A person living in or near *Grubstreet*, and his Wife, were likewise charged with the same Offence: The Evidence for the King made out several presumptions against them, but there was a multitude of their Neighbours and others that came in to testifie as to their Credit, *&c.* And the Prisoners alledged, the prosecution was upon an old grudge, and endeavoured to recriminate upon one of the chief Evidence; it did appear that four years ago, their House had been searched on suspition of this Crime of Clipping, and then nothing found that could render them obnoxious to the Law, so that after a full and fair Tryal they were acquitted.

Several persons, as is usual every Sessions, were Convicted for stealing of silver Tankards, and divers for Shop-lifting, the particulars too tedious to relate.

One *Daniel Mackarty*, an *Irish-man*, was Tryed and Convicted of Treason, as being a Popish Priest: the manner of his Apprehension was thus. A woman in *Charles-street* being very sick, this Father officiated with her, said Mass, and Administred the Sacrament to her, of which the Nurse gave notice to some honest Neighbours, who took out a Warrant and seized him in the said sick Womans Chamber, who much interceded and begged that they would not [illegible] away, for if they did, she should be in danger of losing her Soul;

but they adviſed her to ſend for a Proteſtant Divine, and take inſtructions from him, and not to truſt ſuch blind Papiſh guides, with their Idolatrous Maſſes, and fooliſh Ceremonies of Extream Unction and groundleſs Abſolutions, where there is neither true Faith or Repentance. The Nurſe teſtified that ſhe had heard the Priſoner ſay Maſs, and exerciſe other parts of the Prieſtly Function. Dr. *Oates* likewiſe was a Witneſs againſt him, that he confeſſed to him that he was a Prieſt when he was brought to his Chamber. In his Pocket when he was taken, there was found a Petition to the *Venetian* Ambaſſador, expreſſed by the name of *Daniel Mackarty* Prieſt, ſetting forth his being in want, and deſiring relief; as likewiſe a Letter in *French* directed to him, and ſignifying likewiſe, that he was a Prieſt; which Papers were read in Court. He had little to ſay for himſelf, but behaved himſelf impudently, calling the Witneſſes ſcurrilous names, &c. Nothing could be made more plain than his Prieſthood, which in truth he ſcarce denyed, and ſo was found guilty, which he ſeemed not at all to regard, being a perſon (as moſt of them are) of a wonderful confidence.

The Petition before-mentioned was in French, and therein it was ſpecified what Order he was of; likewiſe there was another Paper in the ſame Language, purporting to be directions how (if he were taken) he ſhould behave himſelf, what excuſes and pretences he ſhould make, what he ſhould ſay if confronted by Doctor *Oates*, or any other of the Kings Evidence; whereby we may ſee they have Leſſons ſet them in every caſe. He thought to have baffled the woman that gave Evidence againſt him, by asking her what cloaths he had on when ſhe heard him officiate; who anſwered, the ſame he had now, whence he would infer that it could not be, becauſe in ſaying Maſs, they uſe ſuch and ſuch Veſtments; but this was quickly contradicted, for though he had not all his Formalities, which they cannot conveniently always, nor ſafely now eſpecially, carry about with them, yet to ſupply that defect, there was found about him, and now ſhewed in Court, a thing called in their holy *Gibberiſh*, *A Stole*, being a piece of Sattin or Taffata, of near two yards long, and three or four Inches broad, of a kind of deep blew, or almoſt purple colour, which they uſe to fling over their ſhoulders, and that alone ſerves inſtead of all the reſt of their gear. The woman mentioning her hearing him ſay Maſs, was askt how many were preſent, ſhe anſwered, ſhe could not certainly tell, but was ſure there was above threeſcore; and being demanded if ſhe knew any of them, replyed, yes, there were enough of them now about the Court, or in the yard, or words to that effect.

There was a young Gentleman of good note, took a Tryal on the *Friday* touching a Rape charg'd to be committed on the Daughter of one Mrs. a Girl about ten years of age. He was ordered by a Relation to demand Money of this Childs Parents, who kept an Ale-houſe, and they contriv'd, as may be thought, this Stratagem not onely to ſatisfie that Debt, but ſcrew more Money out of him. The Girl told the ſtory that he meddled with her in the Chamber at her Mothers; and her Siſter a wench about ſixteen years of age confirm'd it, by ſaying ſhe came up and ſaw it, and that he gave her two ſhillings to hold her tongue; and Midwives ſwore the Child had had ſome Abuſe. But the Gentleman proved by a Servant-maid, that the eldeſt Daughter went abroad, pickt up a man, brought him home, who went to bed with both her and her Siſter, and began with the leaſt firſt, ſo that then ſhe cry'd out and might receive the prejudice. Twas alſo prov'd, that they ſent for a Compoſition, 60 pound down, and Judgment of an hundred more, and were in treaty to have him give them ſo much, and then they would put it off; ſo that upon the whole matter, the Gentleman was fairly Acquitted

damnable Affection; and directions given to Profecute the Mother for keeping a Jewd Houſe.

A Woman was Convicted for ſtealing a Trunk of Lace, valued above 100 l. a Country woman brought it to Town to ſell; the Priſoner invites her to lodge with her, in the night purloins it away by ſeveral of her Companions, who came into the Room on frivolous pretences. In the Morning cries out, ſhe had loſt her own Muff, and by and by the Trunk was miſs'd, and never could be heard of, for which ſhe was Condemned.

Mr. *Thompſon* the Printer was admitted to Bail, there being no Indictment againſt him; ſo were ſeveral of the Apprentices.

There were in all Fifteen burnt in the Hand, and no fewer than Four and twenty that received Sentance of Death, of whom Three Women (one a Clipper) were, by a Jury of Matrons, after they were Attainted found to be quick with Child, ſo that as to them Execution muſt be reſpited. The Number being ſo great, the common Bar could not contain them, but ſeveral of them were forced to be put into Captain *Richardſons* ſeat: Many of them much lamented their condition, but the *Iriſh* Popiſh Prieſt was obſerved to laugh at his going away from Sentance.

FINIS.

# THE PROCEEDINGS OF THE GRAND-JURY of the City of *Briſtol*, UPON

## An Indictment againſt *Edward Flower*, Gentleman, for ſpeaking Words in derogation of his MAJESTY, and the High Court of PARLIAMENT.

AT the General Seſſions of the Peace, held for the City and County of the City of *Briſtol*, *July* 13. 1680. in the 32d year of his now Majeſty's Reign, before the Right Worſhipful the Mayor and Aldermen of the ſame City, in the *Guild-Hall* there: the Grand-Jury following being ſworn: *VIZ.*

| | | |
|---|---|---|
| *John Hine.* | *William Scot.* | *John Harris.* |
| *Richard Coddrington.* | *Richard Waſhfield.* | *William Bath.* |
| *Arthur Grant.* | *John Hiley.* | *Abraham Weare.* |
| *Richard Taylor.* | *Edward Bright.* | *Henry Combes.* |
| *Robert Bound.* | *John Hawkins.* | *William Baron.* |
| *Francis Fiſher.* | *John Cheſhire.* | *George Maſon.* |
| *James Fiſher.* | *John Woolvin.* | *William Lewis.* |

Upon full Evidence they found a Bill of Indictment againſt *Edward Flower*, Gentleman; a true Copy whereof is as followeth:

JUratores, &c. The Jury for our Sovereign Lord the King, do upon their Oaths preſent: That whereas by the Ancient Cuſtoms of this Kingdom of *England*, whereof the Memory of Man is not to the contrary, and alſo according to the Laws and Statutes of the ſame Kingdom of *England*, PARLIAMENTS, conſiſting of the Barons, Knights, and Burgeſſes of the ſaid Kingdom, within this Kingdom for the neceſſary, common, and publick Good, as well of the Kings, as of the whole People of *England*, by the Anceſtors and Predeceſſors of our moſt Illuſtrious Lord King *Charles* the Second, that now is, being Kings of this Kingdom, and by our ſaid Sovereign Lord King *Charles*

the Second that now is, have been reſpectively and ſucceſſively ſummoned, aſſembled, had, and held: Yet nevertheleſs one *Edward Flower*, of the City of *Briſtol*, in the County of the ſame City, Gent. not being ignorant of the Premiſes, but craftily deſigning and intending, not only the Cuſtoms, Laws, and Statutes of this Kingdom to make void, and the ſaid Parliaments to villify, and for ever hereafter to ſubvert; but alſo the ſublime Wiſdom of our ſaid Sovereign Lord King *Charles* the Second that now is, to ſcandalize; and all the People of *England*, in their State and Condition, greatly to hurt and prejudice; and likewiſe Seditions, and unlawful Inſurrections, to move and ſtir up; and as well our ſaid Sovereign Lord the King that now is, as the Right Reverend Father in Chriſt, the Biſhop of *Bath* and *Wells* that now is, to bring into the Hatred and Ill-will of the Subjects of our ſaid Sovereign Lord the King: the 24*th* day of *January*, in the One and Thirtieth Year of his now Majeſty's Reign, in the Ward of St. *Michael*, in the County of the City aforeſaid, (he the ſaid *Edward Flower* then and there having a Diſcourſe of and concerning our ſaid Sovereign Lord King *Charles* the Second, and of a certain Parliament of our ſaid Sovereign Lord the King that now is,) maliciouſly, ſeditiouſly, and unlawfully, in the hearing of very many of the Subjects of our ſaid Sovereign Lord the King that now is, did then and there openly and publickly ſpeak, and with a loud Voice publiſh, theſe malicious, ſeditious, and pernicious Engliſh Words following, (that is to ſay:) **The King is unwiſe to govern by a Parliament, and that He doth not raiſe an Army, and govern by the Sword: There are ſeveral Gentlemen in** Somerſetſhire **ready to aſſiſt Him, to my knowledg; and the Biſhop of** Bath **and** Wells **is gone up to acquaint Him with it.** --- To the great Scandal of our ſaid Sovereign Lord the King that now is; to the defaming and villifying of all ſuch PARLIAMENTS, and alſo of the Laws and Statutes of this Kingdom of *England*; to the exciting Breaches of the Peace of our ſaid Sovereign Lord the King, and of Seditions and Inſurrections within this Kingdom of *England*, to the pernicious Example of all others in the like Caſe offending, and againſt the Peace of our ſaid Sovereign Lord the King that now is, his Crown and Dignity.

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Reader, You may ſpeedily expect a further Account of the Court's Proceedings with this Gentleman, as to his Trial for the aforeſaid Indictment.

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*LONDON*:
Printed for *Francis Smith*, at the Elephant and Caſtle in *Cornhill*, near the Royal-Exchange. 1680.

244

875. l. 2.
36*

# THE PROCEEDINGS OF THE GRAND-JURY of the City of *Briſtol*, UPON An Indictment againſt *Edward Flower*, Gentleman, for ſpeaking Words in derogation of his MAJESTY, and the High Court of PARLIAMENT.

AT the General Seſſions of the Peace, held for the City and County of the City of *Briſtol*, *July* 13. 1680. in the 32d year of his now Majeſty's Reign, before the Right Worſhipful the Mayor and Aldermen of the ſame City, in the *Guild-Hall* there: the Grand-Jury following being ſworn: *VIZ.*

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the Second that now is, have been reſpectively and ſucceſſively ſummoned, aſſembled, had, and held: Yet nevertheleſs one *Edward Flower*, of the City of *Briſtol*, in the County of the ſame City, Gent. not being ignorant of the Premiſes, but craftily deſigning and intending, not only the Cuſtoms, Laws, and Statutes of this Kingdom to make void, and the ſaid Parliaments to villify, and for ever hereafter to ſubvert; but alſo the ſublime Wiſdom of our ſaid Sovereign Lord King *Charles* the Second that now is, to ſcandalize; and all the People of *England*, in their State and Condition, greatly to hurt and prejudice; and likewiſe Seditions, and unlawful Inſurrections, to move and ſtir up; and as well our ſaid Sovereign Lord the King that now is, as the Right Reverend Father in Chriſt, the Biſhop of *Bath* and *Wells* that now is, to bring into the Hatred and Ill-will of the Subjects of our ſaid Sovereign Lord the King: the 24*th* day of *January*, in the One and Thirtieth Year of his now Majeſty's Reign, in the Ward of St. *Michael*, in the County of the City aforeſaid, (he the ſaid *Edward Flower* then and there having a Diſcourſe of and concerning our ſaid Sovereign Lord King *Charles* the Second, and of a certain Parliament of our ſaid Sovereign Lord the King that now is,) maliciouſly, ſeditiouſly, and unlawfully, in the hearing of very many of the Subjects of our ſaid Sovereign Lord the King that now is, did then and there openly and publickly ſpeak, and with a loud Voice publiſh, theſe malicious, ſeditious, and pernicious Engliſh Words following, (that is to ſay:) **The King is unwiſe to govern by a Parliament, and that he doth not raiſe an Army, and govern by the Sword: There are ſeveral Gentlemen in** Somerſetſhire **ready to aſſiſt him, to my knowledg; and the Biſhop of** Bath **and** Wells **is gone up to acquaint him with it.** --- To the great Scandal of our ſaid Sovereign Lord the King that now is; to the defaming and villifying of all ſuch PARLIAMENTS, and alſo of the Laws and Statutes of this Kingdom of *England*; to the exciting Breaches of the Peace of our ſaid Sovereign Lord the King, and of Seditions and Inſurrections within this Kingdom of *England*, to the pernicious Example of all others in the like Caſe offending, and againſt the Peace of our ſaid Sovereign Lord the King that now is, his Crown and Dignity.

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Reader, You may ſpeedily expect a further Account of the Court's Proceedings with this Gentleman, as to his Trial for the aforeſaid Indictment.

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*LONDON*:
Printed for *Francis Smith*, at the Elephant and Caſtle in *Cornhill*, near the Royal-Exchange. 1680.

A FAITHFUL

# ACCOUNT

OF THE

SICKNESS, DEATH, and BURIAL

OF

# Capt. William Bedlow,

Who Dyed *August* the 20*th*, and was Buried *August* the 22*d*. 1680.

With many other Circumstances thereunto Relating.

Taken from the Testimony of his Wife, and many other of his Friends who constantly attended him in his Sickness.

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*In a* LETTER *from an Intelligent Person in* Bristol, *to his Friend in* London.

---

SIR, *Bristol Aug.* 23. 1680.

MY Obligations to your self, and desire of securing Truth from the Out-rages of ill men, especially when the Publick is concern'd, have prevail'd with me to give you a short Account of the Sickness and Death of Captain *Bedlow*. On *Monday* the 9*th* day of this Instant, he came very ill from *London*, having the Head-ach, and an extreme Loosness most part of that day; the next day after he came home, he was seized with a most violent Vomiting and Loosness; Physicians were sent for, who attended him two or three days; but his Distemper encreasing, on *Thursday* two other Physicians

Phyſicians were joyn'd in Conſultation about him; his diſeaſe ſtill grew upon him, and he being very apprehenſive that it would iſſue in his Death, and underſtanding that the Lord Chief Juſtice *North* would be here to hold the Aſſizes the *16th* Inſtant, expreſſed a very great deſire to ſpeak with his Lordſhip for diſcharging of his Conſcience, in depoſing ſomewhat which he had not before diſcloſed; with which his Lordſhip being made acquainted, was pleaſed that night at his Requeſt to go to him; before whom he did by many repeated Aſſeverations, upon the words of a dying man, declare, That in all the great buſineſs of the Plot he ſpoke nothing againſt any perſon upon Oath, or otherwiſe by way of Accuſation, but what was true; and only complain'd that he had been too timerous, and rather leſſened his Evidence in ſome particulars.

After ſome ſhort time, the company were deſired to withdraw; and none being left with him but the Lord Chief Juſtice, Captain *Bedlow*'s Wife, and the Judges Clerk; My Lord gave the ſaid Mr. *Bedlow* his Oath, and his Clerk took a pretty long Depoſition in Writing, the Contents whereof are yet ſecret; only thus far we know he made Oath, That whatſoever he had declared to the King and Council, and the Secret Committee, and at the ſeveral Tryals upon Oath, were all true, upon the word of a dying man. He told the Judg he expected no Crown of Martyrdom for Lying, as the *Papiſts* did, but what he ſaid was ſincerely true, as he was ſhortly to appear before the Great *Jehovah*, the Maker of all fleſh, where he ſhould ſtand with a clear Conſcience as to all matters of the Plot, wherein he had given Evidence. He ſaid moreover to the Judg: My Lord! ſome will not believe the Plot, or pretend it at leaſt. My Lord! I ſpeak the more, becauſe I know not but that I may dye this night: He very often ſaid to my Lord Chief Juſtice with great earneſtneſs, My Lord! I pity the King! I pity the King! His Life is in danger! they will Poyſon, or cut Him off! they are going towards it! they are Carrying on the Plot! the *Papiſts* will kill Him! When my Lord was going away, he called him back again, took him by the hand, and beg'd him to preſent his moſt humble Duty to the King, and to tell him he was His moſt Loyal and Dutiful Subject, and to beſeech Him to take care of Himſelf.

*Tueſday* the *17th* of *Auguſt*, towards the evening, he appear'd worſe than he had been all his ſickneſs before; ſome about him asking

asking him ſeveral Queſtions about his Depoſition; he replyed, He was a very weak man, and would talk no more of Temporal things.

*Wedneſday* night he had a ſevere Fit, through the violence of which, he ſpake not for the ſpace of 14 hours, or thereabout. *Thurſday* in the evening his ſpeech returned to him, and he took ſome refreſhment, and asked thoſe about him what day of the Month it was? and what hour of the Day, exactly? One ſtanding by, asked him if he were ſatisfied in his Conſcience as to what he had ſworn and acted in the publick buſineſs he had been involved in? His Anſwer was, That as he hoped for Salvation, all that he had Sworn about the Plot was juſt and true, and that he had rather omitted, than augmented any thing he had given in Evidence. This he ſpoke the night before he dyed, and after he had been in a Trance ſeveral hours.

*Friday* the 20*th* of *Auguſt* Inſtant, his Speech failed him again, and returned no more; and about Two of the Clock that afternoon he expired.

Yeſterday being *Sunday*, after he had been publickly expoſed in *Merchant-Taylors* Hall, in this City, to the view of all ſpectators; his Corps was carried thence about Six of the Clock in the Evening, and buried in the *Mayors Chappel*, called the *Gaunts*; the Funeral was attended with a very numerous Company of Citizens, both Men and Women. Mr. Mayor, and others of the beſt Quality being preſent, ſeveral Gentlemen of the Council, and others bearing up the Pall. The Church was hung with black. Mr. *Palmer*, a Reverend and Learned Divine of this City, Preached an excellent Sermon at his Funeral, on *Rom.* 14. *v.* 12, 13. *So then every one of us ſhall give an account of himſelf to God. Let us not therefore judg one another any more, but judg this rather, that no man put a ſtumbling-block, or an occaſion to fall in his brothers way.* There were Eſcutcheons fixed to the Hearſe, with this Inſcription in black Letters in a Field-Argent:

*Teſtimonium quod vivens Exhibuit*
*Moriens conſtanter Obſirmavit!*

Thus you have a plain and juſt Relation of the Death and Burial of Captain *William Bedlow*. The loſs of ſo conſiderable an Evidence to the King and Kingdom is greatly to be deplored:

plored: But if you revolve ſeriouſly upon the manner of his Death, and his exact temper and deportment through the whole ſeries of his ſickneſs, you'l find reaſon to believe, that *Sampſon*-like he hath Triumph'd even in Death, over the Popiſh Conſpirators, and been as formidable in his ſick-bed, as formerly in the Courts of Juſtice; the ſtrong Aſſeverations he left behind him in vindication of his Evidence, hath rais'd it to the higheſt Reputation. It ſeemeth to me, as if Providence found it neceſſary in this ſtubborn and unbelieving age, to uſe extraordinary methods to evince the World of the truth of the Bloody and Helliſh Plot. And therefore to the clear and uncontroulable Evidence that hath been given *viva voce*, and by Original Letters under the Conſpirators own hands, God hath now ſuperadded one Argument more to convince us, by making one of the Witneſſes ſeal the diſcovery with his laſt breath, and dye, giving repeated Evidence againſt the Plot. I am,

*SIR*,

*Your humble Servant*,

T. S.

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*LONDON*, Printed for *Randall Taylor*. 1680.

# THE TRUE NARRATIVE OF THE PROCEEDINGS AT The Sessions-House IN THE OLD-BAILY,

Which began on *Wednesday* the 13th of this instant *October*, and ended on *Fryday* the 15 following.

Giving an Account of most of the Remarkable Trials there, *viz.* For Murder, Fellonies and Burglaries, *&c.* with a particular Relation of their Names, and the places of their committing their Facts, with the number of those Condemned to die, Burn'd in the Hand, Transported and to be whipt.

THe first was *Catherine Green*, alias *Johnson*, alias *Dodson*, Tried for stealing eleven Yards of Lawn, valued at nine shillings, on the seventeenh of *September* last, from one *John Turner* living in St. *Lawrence* Jury, the manner thus, She coming in a Coach to his Shop-door, alighted and went in, pretending to buy some Linnen Cloth, and taking her opportunity conveyed the Goods aforesaid into her Coat, or some other private place and then pretending a dislike, or that she found none for her turn, she went into the Coach again, but Mr. *Turner* missing his Lawn followed her, and upon search found it dropped in the Coach. She pleaded she knew nothing of it, but upon full Evidence was found Guilty of the Fellony.

A second Indictment was preferred against her by one Mr, *King*, for stealing of a Silver Tankard from him, valued at four pound ten shillings, and a Scarff valued ten shillings, one pair of Buttons valued at one shilling. She coming to his House in *Southampton*-Building, took a Lodging, pretending she had a Husband living in *Grays-Inn*, and after having been there for some time, desired to

 have

have a Tankard of Beer set by her Bedside, the which being done, she very fairly the next morning, getting up betimes took the Goods mentioned and departed. The Tankard was afterwards found in a Goldsmiths hands to whom she had sold it, her Plea was, that she only borrowed it, and intended to restore it again; but that frivolous excuse being common with such kind of People and it being clearly proved against her, she was brought in Guilty of this also.

*John Watkins* and *Edward Whittaker* were Indicted for Murthering one *Isaack Smith* a Watchman in *Ivy* Lane on the 29th of *May* last, the manner thus, several persons about 3 of the Clock in the morning of the same day, coming down *Paternoster* Row, made a noise and seemed very unruly as they came along whereupon the Deceased and another Watchman being upon their Stands, endeavoured to stop them, in order to the examining them, or having them before the Constable to give an account of their business at such an unseasonable time; whereupon they resisted and fell to scuffling with the Watchman; *Whittaker* striking up one of their Heels, and *Watkins* beating down the others Lanthorn, whereupon the Dispute grew very hot, so that after some hard Scuffle with the deceased, *Watkins* got up his Staff and struck him a blow on the left side of the Head, knocking him down, of which Wound he languished till the 22 of *September*, and then died. The Prisoners pleaded that the Deceased first assaulted them and that they were Fruterers, and going about their lawful occasions to buy Fruit in *Newgate* Market; but the Chirurgion giving in upon Oath that according to the best of his Skill, the man died of the Wound, whereupon they were both found Guilty of the Murther.

*Elizabeth Hill* was tried for stealing one Bag valued at two pence, and twenty eight pounds of monies numbered, being the monies of *Robert Hadcock* of of the Parish of St *Giles* in the Fields she being a Servant to him, took the opportunity to get the Keys of a Trunck that stood under her Masters Bed, in which the mony was and opening it, or permitting some other to do it, conveyed the Monies thence, upon the missing of it, being taxed, she confessed that there had been a Man with her, but that the monies was not lost that day they supposed it was, but the day before; so that upon Evidence of the Trunks being opened, the Lock overshot, and no one but she admitted into the Chamber, where it stood; whereupon she was found Guilty of the Fellony.

*Francis Nicholson*, Indicted for stealing a Watch valued at twenty-two shillings from *Robert Johnson* of the Parish of St. *Margarets Westminster*, the manner thus, he coming into his Shop offered to sell a Watch which he said he had bought, and by reason it was broak was not willing to go to the charge of mending it, upon which, the Prosecutor bought it; but not looking well about him the Prisoner had stolen another from him, upon which Indictment he was found Guilty.

A second Indictment was preferred against him and one *George Granger*, for the Murthering of one *John Dimblebe*, Servant to Mr. *Marriot* of *Hampton*-Court where the Murther was Committed, the manner of which barbarous exploit was thus; according to the Confession of *Nicholson* that *Granger* upon some falling out between him and the Deceased, had bidden him fourty shillings to Murther him, and something else not named, whereupon he consented to undertake the Villanous Exploit, and at convenient times made three several Attempts, but his Heart failed him, and as often he told *Granger* of the same, who encouraged him as he said, upon which, the fourth time following him into a dark Room on the sixteenth of *September* last, in the Evening, he being a Carpenter

by

by Trade, with his Ax felled him, ſo that his Scull was broak in ſeveral places; whether he gave him any more Blowes is not certain, but there he left him weltering in his Blood, till he was found by one Mr. *Cole* who came in queſt of him, he being quite ſenſeleſs, lived only two days afterwards but never ſpoke, upon which *Nicholſon* fled towards *London*, which gave ſuſpicion of his Guilt, ſo that being purſued, he was heard of at *Kingſton*, and at the *Half-moon* there, had offered to ſell the Watch he afterwards ſold in *Weſtminſter*; which he took out of the Deceaſed's Pocket. Upan his Trial he perſiſted that he was Guilty of the Murther, but did ſolemnly Affirm *Granger* hired him, but there being no other Teſtimony than his againſt him, and ſeveral Witneſſes produced to prove his good Behaviour and peaceable Inclination, he was acquitted and *Nicholſon* according to his Confeſſion, found Guilty of the Murther.

*John Gibbons* was Arraigned and tried for the Murther of *William Smith*, the manner as followeth. The Deceaſed being by Profeſſion a Taylor, and working with one Mr. *Grimes* in *St. Pauls Covent-Garden*, where the Priſoner had put a Suit of Cloathes to alter, for which coming on the 19th of *July* laſt, and they not being done, he fell to Curſing and Swearing, at which (as he alledged, the Taylors, for there were many of them at work) fell a hollowing at him; whereupon he took up a Goose that ſtood upon the Board, and threw it at the Deceaſed's Head, which miſſing him he afterwards threw the Sheers, and ſtruck the Point of them thorow his Hat into his Head; making [illegible] deep wound, and as it was ſworn in Court, afterward drew a Sword, ſaying if he had not enough he would give him more. Of this Wound *Smith* languiſhed, often Vomiting Blood, till the 21th of *September*, and then dyed. The priſoner endeavoured to prove he dyed not of that Wound but of a Feavour and in Order to the ſame produced ſeveral Chirurgions who opened the Body yet notwithſtanding the Evidence being plain againſt him he was brought in Guilty of Manſlaughter.

*Ralph Markland*, *Elizabeth Markland*, *Ann Markland* and *Robert Grigory* were Indicted for Clipping, and Filing of his Majeſties Coin, the lawful monies of *England*, viz. 100 of *Elizabeth* ſhillings, 100 of King *Charles* the firſt his Shillings and one hundred of his Half-Crowns The Evidence againſt *Ralph Markland* ſwore, that he not only ſaw him, but often helped him to Clip ſeveral parcels of moneys to the vallue of 100 pounds, or thereabouts; and that he had given him 22 ſhillings of Clipped

monies

monies for 20 of Broad, and thereby had made Exchange for conſiderable ſums. Several Clipping Blocks were likewiſe upon ſearch found in his Houſe in the pariſh of Saint *Anns Black-Fryers*, and two pair of Sheers for Clipping, lately made for him by a Cutler in *Shu hwark*, found hid in the Nettles in *Georges-fie'd*, and that he ſold ſeveral parcels of melted Silver to a Goldſmith in the *Mint*. Againſt *Gregory* it was ſworn that he bought the Clippings of *Markland*, or that he received them to melt down, being a Refiner by Trade and that he ſupplied him with monies, the ſame being atteſted by a Servant of *Marcklands* who had not only carried Clipped monies to him in Exchange, but likewiſe ſaw his Maſter weigh and deliver Clippings to him. Againſt *Elizabeth* Markland the Evidence was, that ſhe filed ſeve a ſhillings to the number of 20 or thereabouts, but againſt her there was but ſingle Evidence. And againſt Ann Marckland none; ſo that after the Court had given the Jury their Charge punctually to every circumſtance, they only found Ralph Marckland Guilty of the High-Treaſon, and acquitted the reſt.

There were ſeveral of the Nobility and Gentry appeared upon their Indictments for Recuſancy, many perſons of Honour and worth conforming to the Church of *England* in all the particulars of the Proteſtant Religion, and others continued upon Bail to Anſwer the ſame at the next General Seſſions to be holden for the City of *London* and County of *Middleſex*, &c.

*John Neal* was tried for breaking open the Houſe of *James Jones* of the Pariſh of *Hornſey* on the eighteenth of *July*, and in the Company of eleven more, and ſtealing thence Goods to the Vallue of fifty pounds, he confeſſed the Robbery upon evidence, and thereupon was found Guilty of the Felony and Burglary.

*Priſcilla Wins* was alſo found Guilty upon her Trial for ſtealing a ſilver Perringer from *David Lockly* valued at 50 ſhillings.

There were in all 8 that received Sentance of Death, *Viz.* Ralph Markland, Frances Nicholſon, Catherine Green, alias Dodſon, John Watkins, John Neal, Priſcila Wins, Elizabeth Hull and Edward Whittaker, and three to be whip'd.

*London*, Printed by *D. Mallet*, 1680.

# ARTICLES
OF
# IMPEACHMENT
AGAINST
# Edward Seymour Esq;
With the VOTE of the
COMMONS in PARLIAMENT
Upon the Said ARTICLES.

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*Articles of Impeachment of High Crimes, Misdemeanours and Offences against* Edward Seymour *Esq; one of His Majesties most Honourable Privy Council, Treasurer of His Majesties Navy, and one of the Members of the House of Commons now in Parliament Assembled.*

*Inprimis*,

THat, Whereas the Sum of Five hundred eighty four thousand nine hundred seventy eight Pound, Two shillings, Two pence, was raised by an Act of Parliament, for the speedy building of Thirty Ships of War, and thereby appropriated to the said Use; By which Act it was particularly directed, that the Treasurer of the Navy should keep all Moneys payed to him by vertue of the said Act, distinct and apart from all other Moneys, and should Issue and Pay the same by Warrant of the Principal Officers and Commissioners of the Navy, or any Three or more of them; and mentioning and expressing, that it is for the Building, for the Guns, Rigging and other Furnishing of the said Thirty Ships of War, and to no other Use, Intent, or purpose whatsoever; He the said *Edward Seymour*, on or about the year One thousand six hundred seventy seven, being then Treasurer of the Navy, did, contrary to the said Act, and contrary to the Duty of his said Office, lend the Sum of Ninty thousand Pound (at Eight *per Cent.*) parcel of the said Sum raised by the said Act (being then in his hands) for and towards the support and continuance of the Army then raised, after such time as by an Act of Parliament the said Army ought to have been Disbanded, whereby the said two several Acts were Eluded, and the said Army was continued and kept on foot to the great Disturbance, Hazard and Danger of the Peace and safety of the Kingdom; And the Nation was afterwards put to a new Charge of raising and paying the Sum of Two hundred thousand Pound for the Disbanding of the said Army.

Secondly, That Whereas an Act of Parliament had paſſed for Raiſing of Money by a Poll for Enabling His Majeſty to enter into an Actual War againſt the *French* King, and the Money raiſed by vertue of the ſaid Act, was thereby appropriated to the ſaid Uſe, and to the Repayment of ſuch Perſons as ſhould furniſh His Majeſty with any Sums of Money, or any Stores neceſſary for the ſaid Service.

And Whereas certain Eaſt-land Merchants were deſired by His Majeſties Officers to furniſh and ſupply great quantities of Stores for the Navy; and as an Incouragement thereunto, were aſſured, that the Sum of Fourty thouſand Pound, parcel of the Moneys raiſed by the ſaid Act, was at that time actually in the hands of the ſaid *Edward Seymour*, (which he did acknowledge ſo to be) and did promiſe the ſaid Sum ſhould be payed to the ſaid Merchants in part of ſatisfaction for the ſaid Stores, which they did furniſh upon the Credit of the ſaid Affirmation and Undertaking. He the ſaid *Edward Seymour* did on or about the Year One thouſand ſix hundred ſeventy eight, iſſue out and pay the ſaid Sum to the Victuallers of the Navy by way of Advance, and for Proviſions not then brought in, contrary to the true Intent and Meaning of the ſaid Act; Whereas, the ſame by the Proviſion of the ſaid Act, ought to have been payed to the Eaſt-land Merchants, who had furniſhed His Majeſty with Flax, Hemp, and other Neceſſaries for the ſaid Service; Of which ſaid Deceipt and Injuſtice the ſaid Merchants did complain in the laſt Parliament.

Thirdly, That the ſaid *Edward Seymour* being Treaſurer of the Navy, and then and ſtill having a Salary of 3000 *l. per Annum* clear for the ſame, did, during the time that he was Speaker of the late long Parliament, receive out of the Moneys Appointed for ſecret Service, the Yearly ſum of 3000 *l.* over and above his ſaid Salary, which was conſtantly payed to him, as well during the Intervals as the Seſſions of Parliament; and particularly, during the Prorogation of Fifteen Months.

Fourthly, That on or about the Eighteenth Year of His Majeſties Reign, and during a War with the States General of the United *Netherlands*; He the ſaid *Edward Seymour*, being then one of the Commiſſioners for Prize Goods, did, Fraudulently, Unlawfully, and in Deceipt of His Majeſty, Unlade a certain Prize Ship, taken from the Subjects of the ſaid States, without any Order or Authority for the ſame, and did Houſe the Lading and Goods of the ſaid Ship, and Lock up the ſame without the preſence of any Store-keeper, and did afterwards ſell the ſame, pretending the ſame to be only *Muſcarado* Sugars, and did Account with His Majeſty for the ſame as ſuch; Whereas in Truth, the ſaid Ship was Laden with *Cochineal* and *Indico*, rich Merchandiſes of a very great Value.

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*Veneris 26° Nov.* 1680.

*Reſolved*,

THat there is ſufficient Matter in theſe Articles for the Impeachment of *Edward Seymour* Eſq; a Member of this Houſe; And that he be Impeached upon theſe Articles.

I *Appoint* John Wright, *and* Richard Chiſwel, *to Print theſe Articles and Vote, Peruſed by me, according to the Order of the Houſe of Commons; And that no other Perſon preſume to Print them.* 26 Nov. 1680.

Wi Williams, *Speaker.*

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*London*, Printed for *John Wright*, at the Crown on *Ludgate-hill*, and *Richard Chiſwel*, at the Roſe and Crown in St. *Paul*'s Church-Yard. 1680.

# DISCOVRS PRONONCE par le Vicomte de Stafford : avec les particularitez de ſon execution.

515. L. 2. 40

GUILLIAM Howard Lord Vicomte & Baron de Stafford eſtoit de l'ancienne Maiſon des Ducs de Nortfolck, l'vne des premieres & des plus conſiderables d'Angleterre. Il eſtoit ſecond fils de Thomas Howard Comte d'Arondel, de Surrey & de Nortfolk, Comte Mareſchal d'Angleterre, Viceroy d'Irlande, & grand pere du Duc de Nortfolk d'aujourd'huy. Sa mere eſtoit fille de Gilbert Comte de Shrewsbury.

Il avoit épouſé Marie fille & heritiére d'Edouard Vicomte de Stafford, qui deſcendoit en droite ligne des anciens Ducs de Bukingham, & meſme des Roys d'Angleterre, auſſi bien que le Michel ſon mary, qui en eſtoit iſſu par la fille de Thomas de Bouthertron, l'vn des fils d'Edouard premier. Ils ont laiſſé deux fils, l'vn âgé de 18 ans, & le ſecond de 22, & vne fille Religieuſe.

Il y a pres de deux ans, que ſur les depoſitions d'Oats & de Bedlow, il fut mis priſonnier à la Tour, comme complice de la conſpiration qui fait tant de bruit depuis ce temps là, & qui neantmoins n'a jamais eſté avoüée par aucun de ceux qu'on a executez pour ce ſujet.

Apres vne longue priſon, il fut enfin condamné le 17 Decembre, au ſupplice ordonné pour les crimes de haute trahiſon : & le Roy moderá ſon Arreſt, en ordonnant qu'il auroit ſeulement la teſte tranchée.

Le 8 de ce mois, les deux Scherifs ou Juges de Londres & de Midleſex, avec vne nombreuſe ſuite, ſe rendirent à la porte de la Tour ſur les ſix heures du matin, & demandérent Guillaume Howard, ci-devant, Vicomte Stafford. Apres quelques conteſtations ſur la maniere en laquelle il ſeroit livré, le Gouverneur de la Tour le fit remettre aux Scherifs, entre la porte & la barriere, où l'on avoit poſté deux compagnies. Il fut conduit à l'échafaut dreſſé dans la place de Tower-Hill, ſur lequel on avoit apporté vne biere marquée de ces lettres W. S. 1680. L'executeur avoit deux billots dans vn ſac, & vne hache couverte d'vn drap. Il tira l'vn des deux billots, qui fut couvert de noir & mis ſur vn drap de meſme couleur, d'environ deux aunes de long, où le priſonnier devoit s'étendre. Deux perſonnes eſtoient à vn coſté de l'échafaut pour écrire ce que diroit le Vicomte Stafford. Auſſi-toſt qu'il fut monté il demanda l'executeur : & luy fit donner de l'argent pour ſes habits. Il ſe tourna enſuite vers le peuple : & lut le diſcours ſuivant, qui peut non-ſeulement juſtifier la memoire de ce Seigneur, mais encor celle des Catholiques Preſtres & des Religieux accuſez des meſmes crimes, & de qui la teſte tomba de meſme, n'ayant fous deteſtées en mourant.

LA divine Providence a permis que j'aye aujourd'huy eſté amené ici, pour ſouffrir la mort comme coupable de haute trahiſon. Mais je proteſte devant Dieu qui peut & qui voit tout, & ſur la part que je pretends en l'heritage, que je ſuis innocent des crimes dont on m'accuſe, & meſme que je n'en ay pas eu la moindre penſée.

J'ay eu par la grace de Dieu, beaucoup de temps pour me preparer à l'eternité : mais j'ay negligé d'en faire vn auſſi bon vſage que j'aurois pû. D'ailleurs, j'ay eu l'eſprit fort embaraſſé & fort diſtrait de ce qui depuis quelques jours, il ne m'eſtoit pas permis de voir mes amis, ni meſme ma femme & mes enfans, qu'en preſence d'vn de ceux qui me gardoient. J'eſpere que Dieu aura la bonté de me pardonner, ce qui l'agréra mes bonnes intentions.

Comme ma detention a eſté longue, j'ay eu le loiſir de faire de ſerieuſes reflexions ſur ma conduite, & d'examiner ſur quel ſujet je pou-

vois avoir esté accusé : & je n'en ay point reconnu d'autre, sinon que j'estois Catholique.

Je ne dois pas avoir honte d'vne Religion qui n'enseigne que le veritable culte de Dieu, l'obeïssance au Roy, & la soûmission aux loix de l'Estat. C'est pourquoy je declare que je croy tous les articles de foy enseignez dans l'Eglise Catholique. Mais parce qu'on nous reproche si souvent, que selon les sentimens de cette Eglise, les Sujets peuvent faire mourir & deposer les Souverains qui ont esté excommuniez par le Pape : quant à l'assassinat des Prince, on m'a enseigné comme vn article de foy, que cette doctrine est diabolique, horrible, detestable, & contraire à la loy de Dieu, à celle de Nature, & au droit des Gens, & comme telle, j'y renonce & la deteste de tout mon cœur. A l'égard de l'opinion qu'on peut deposer les Roys, j'avouë qu'il y a quelques Theologiens Catholiques qui la soûtiennent. Mais il y en a d'autres du moins aussi sçavans qui la condamnent : & jamais personne n'a crû que ce fût la doctrine de l'Eglise, ou vn article de la foy Catholique. Pour moy je declare que cette opinion est contraire aux loix fondamentales de ce Royaume : qu'elle est injurieuse à la puissance Souveraine : & que par consequent elle seroit impie & damnable en moy, & en tous les autres Sujets de Sa Majesté.

Je crois qu'il y a vn Dieu, vn Sauveur, & vne Eglise Sainte & Catholique, dans laquelle je meurs par la grace & par la misericorde de Dieu. J'ay peché en beaucoup de manieres durant le cours de ma vie, & j'en ay vn tres-grand & tres-sensible regret : mais je rends de tres-humbles graces à Dieu de ce que je ne suis nullement coupable du crime dont on m'accuse, ni d'aucun autre contre l'Estat.

Les Membres du Parlement ont la liberté de proposer ce qu'ils jugent avantageux pour le bien du Royaume : & apres en avoir deliberé, il s'arrestent à ce qui leur paroist le plus convenable. J'ay dit mon sentiment cõme les autres: dans la Chambre des Seigneurs. Mais je ne crois pas avoir jamais rien avancé qui put estre blasmé, ni qui fût contraire aux loix, & à l'vsage du Parlement. Si j'en avois vsé autrement, les Seigneurs n'auroient pas manqué de me reprendre, & de me punir comme je l'aurois merité. Ainsi je n'ay rien à me reprocher là dessus.

On publie que l'Eglise accorde des dispenses & des indulgences pour le meurtre, pour la révolte, pour le mensonge, pour le parjure & pour d'autres crimes. Mais je proteste encor devant Dieu, sans aucune équivoque ni ambiguité, que l'on ne m'a point enseigné de telles maximes : que je n'en ay jamais crû ni pratiqué de pareilles.

Si j'estois complice de cette conspiration dont on fait tant de brüit, où si je connoissois quelqu'vn qui y fût engagé, on devroit me croire tout à fait insensé de refuser de dire ce que j'en sçaurois, puis que par ce moyen je pourrois me sauver la vie : & je serois aussi meschant que ceux qui me la font perdre par leurs fausses accusations, puis que je serois homicide de moy mesme.

En effet, comme j'ay esté accusé le dernier à la barre des Seigneurs, j'ay sujet de croire qu'on m'a fait mon procez avant que de le faire aux autres Seigneurs prisonniers, dans la pensée que pour me garantir de la mort, je serois quelque importante découverte : & certainement, si j'avois eu connoissance de quelque mauvais dessein, ou de quelque dangereuse conspiration, je n'aurois pas manqué de les découvrir, & je n'aurois eu d'égard, en cela, ny à moy ny à aucune personne que j'en aurois sçeu coupable. Mais si j'avois mille vies, je les perdrois plûtost que de m'accuser moy-mesme, ni d'accuser qui que ce soit contre la verité. D'ailleurs, je suis persuadé qu'apres les sermens que j'ay faits, si je refusois de déclarer ce que je sçaurois sur des crimes de cette nature, je ne devrois avoir aucune espérance de salut, comme je l'ay présentement, par les mérites de Iesus-Christ.

Ie prie Dieu qu'il luy plaise de benir le Roy, que je reconnois pour mon légitime Souverain, à qui toutes les Loix divines & humaines m'obligent d'obéïr. Ie crois certainement qu'il n'y a aucune Puissance sur la terre qui puisse me dispenser de ce devoir, ny permettre à pas-vn de ses sujets de se révolter contre luy, ni de résister à son authorité Royale. Ie suis persuadé que la constitution du gouvernement de ce Royaume est l'vnique moyen pour y conserver la

que je prie Dieu d'y maintenir tousjours.

On peut juger par tout ce que je viens de dire que je ne ſuis pas coupable du crime de trahiſon contre le Roy : mais je ſuis encor plus éloigné de la penſée d'entreprendre ſur ſa vie. Il n'y a rien que j'abhorre davantage que le meurtre, & je proteſte avec ſincerité que ſi je pouvois obtenir ma liberté & me rendre auſſi puiſſant & auſſi heureux que je le pourrois ſoûhaiter, par la mort d'vn ſeul de ces faux teſmoins, qui par leurs parjures m'ont réduit en l'eſtat où je ſuis, il me ſeroit impoſſible de me réſoudre à faire périr pas vn de ces miſérables. Comment donc aurois-je eu la penſée d'attenter à la perſonne de Sa Majeſté, que je crois eſtre le meilleur Roy que l'Angleterre ni aucun autre Eſtat ait jamais eu, & ſous qui les peuples qu'il gouverne pourront joüir de toute la douceur de leur liberté. Au contraire, je ſuis fortement perſuadé que s'il plaiſt à Dieu de luy conſerver la vie & le repos comme je l'ay toûjours ſouhaité, luy & ſes Royaumes ſeront plus heureux qu'il ne l'ont jamais été.

Je demande très-humblement pardon à Dieu de toutes les offenſes que j'ay commiſes contre ſa Divine Majeſté : & j'eſpere que comme il ne mépriſe jamais vn cœur contrit & humilié, & qu'il ne veut pas la mort du pecheur, mais plûtoſt qu'il ſe convertiſſe & qu'il vive, il voudra bien ſe contenter de ma bonne volonté, quoy que je n'aye pas vne contrition auſſi grande que ſoûhaiterois. Ie prie auſſi tout le monde de me pardonner les injures que je leur ay faites volontairement ou ſans y penſer. Ie pardône de tout mon cœur à tous ceux qui m'ont offencé, & meſme à ces parjures qui ſont cauſe de ma mort par leurs faux témoignages.

Ie proteſte ſur mon ſalut que je n'ay jamais dit vn ſeul mot à Oats ny à Turberville, & que je ne les ay jamais vû, avant mon procez. A l'égard de Dugdale, je ne luy ay jamais parlé qu'vne fois en preſence de beaucoup de gens, touchant vn laquais, ou ſur vne courſe de gens à cheval. Neantmoins, toute la punition que je leur ſouhaitte, eſt qu'ils ſe puiſſent repentir de leurs fautes & du mal qu'ils m'ont fait. C'eſt alors que l'on ne doutera plus de mon innocence. Dieu leur pardonne : j'ay grande confiance que dans peu de temps il fera paroître la verité aux yeux de tout le monde, & l'on reconnoiſtra l'injuſtice qu'on m'a faite. Ie crois que j'ay fait voir aſſez clairement, que j'ay de la conſcience : ſi je n'en avois point, j'aurois pû me ſauver la vie en avoüant que j'eſtois coupable, quoy que je ſçache bien que je ne le ſuis en aucune maniere : mais je ne le pourrois faire ſans me précipiter dans les peines éternelles. Ie dis cecy pour la décharge de ma conſcience : & je proteſte encor vne fois ſur mon ſalut que tout ce que j'ay dit eſt la pure verité. Ie ne parleray point de mon procez, parce qu'eſtant partie, je ne ſuis pas capable de juger ſi l'on y a obſervé toutes les formalitez ordonnées par la loy. Si l'on ne l'a pas fait, je prie Dieu de faire miſéricorde à ceux qui en cela n'ont pas ſatisfait à leur devoir.

Mes Iuges ſont tous gens d'honneur, & qui n'ont pas eſté moins obligez à me rendre juſtice, que s'ils avoient preſté ſerment de me juger ſur ce qui auroit eſté prouvé ſuivant les loix, & de donner leurs ſuffrages ſans bleſſer leurs conſciences. Si quelqu'vn d'entr'eux a fait autrement, je prie Dieu de luy pardonner comme je luy pardonne de tout mon cœur.

Ie finiray en priant Dieu pour la proſpérité de Sa Majeſté, afin qu'Elle puiſſe joüir de toute ſorte de bonheur en ce monde & en l'autre, qu'Elle puiſſe gouverner ſon Peuple ſelon la loy de Dieu, que ſes Sujets luy obeïſſent comme ils y ſont obligez, & qu'ils puiſſent eſtre ſenſibles à la grace que Dieu leur a faite en la rétabliſſant ſi miraculeuſement ſur le thrône.

Ie demande pardon à Dieu, du plus profond de mon cœur, de tous les péchez que j'ay commis contre ſa Divine Majeſté. Ie remets mon eſprit entre ſes mains : & j'eſpere qu'il m'accordera la vie éternelle, par les mérites & la Paſſion de noſtre Seigneur Ieſus-Chriſt. Ie demande pardon à ceux que j'ay offenſez, comme je pardonne ſincérement à tous ceux qui m'ont fait injure. I'invoque très-humblement la miſéricorde de mon Sauveur, avec toute la dévotion & la repentance dont je ſuis capable. Ie prie Dieu de ne point tirer vengeance de mon ſang innocent, ſur cette Nation, ni

... ceux qui ſont la cauſe de ma mort, & c'eſt là mon dernier ſouhait.

Ie proteſte avec vérité, juſqu'au dernier ſoupir de ma vie, que je ſuis innocent: & j'eſpére que Dieu tout-puiſſant & tout juſte, & qui connoiſt nos plus ſecrettes penſées, me jugera ſelon mon innocence.

APres ce diſcours il ſemit à genoux, fit quelques priéres en Anglois & en Latin: puis s'eſtant relevé & hauſſant les mains vers le Ciel, il fit de nouvelles proteſtations de ſon innocence, & pria Dieu pour tous ſes ennemis & pour toute ſa Nation. Il adjoûta qu'il n'avoit jamais rien fait que de tâcher à procurer quelque liberté aux Catholiques Romains: & que quant au Duc d'York, il déclaroit ſur ſon ſalut qu'il n'avoit point de connoiſſance que ce Prince eut jamais eu aucun deſſein contre le Roy, & qu'au contraire, il l'avoit toûjours vû agir ſelon les devoirs d'vn fidele ſujet.

Enſuite, il fit le tour de l'échafaut, parla à tout le monde en général, & pria Dieu de benir le Roy & tous ſes Sujets.

Vn Miniſtre luy demanda s'il renonçoit aux indulgences de l'Egliſe Romaine: il répondit avec beaucoup de fermeté, qu'il n'eſtoit pas obligé de luy rendre compte de ſa Religion: mais qu'il aſſeuroit avec vérité que l'Egliſe Catholique n'accordoit point d'Indulgences pour mentir, pour tüer, ni pour commettre aucun crime. Le Miniſtre le preſſa encor de dire s'il n'avoit point reçeu d'abſolution des crimes dont il eſtoit chargé, & s'il eſtoit vray qu'il n'eût jamais veu les témoins. Il répliqua qu'il n'avoit point reçeu d'abſolution: & qu'il n'avoit vû Dugdale que lors qu'il luy parla d'vn laquais.

Apres cela, vn valet de chambre luy oſta ſa perruque & ſon juſteaucorps, & coupa le collet de ſa chemiſe. Le Vicomte Stafford donna ſa montre à vn Gentilhomme, & ſon Crucifix à vn Page: puis il s'étendit ſur le drap, & apres avoir ajuſté ſon col ſur le billot, il ſe mit à genoux & pria Dieu quelque temps tout bas. Enſuite il embraſſa le billot, & pendant que ſon Valet de chambre luy ouvroit ſa chemiſe ſur le col, il continua ſes priéres à Dieu & luy recommanda ſon eſprit avec beaucoup de ferveur, & enfin ſe coucha ſur le billot. Alors, le ſieur Cornish demanda à l'executeur ſi le Milord l'avoit averti de quelque ſigne qu'il feroit pour marquer le temps de le frapper. Il répondit que non: & le Vicomte s'eſtant relevé dit à l'executeur qu'il frapaſt quand il voudroit, qu'il luy pardonnoit de bon cœur, & que la volonté de Dieu ſoit faite. Il ſe coucha derechef, & deux de ſes domeſtiques s'approchérent avec vne piece de taffetas noir pour recevoir ſa teſte, que l'executeur quelques momens apres luy coupa d'vn ſeul coup.

Auſſi-toſt il prit la teſte, & la montrant au peuple, cria *voicy la teſte d'vn traitre au Roy*: enſuite, le corps & la teſte enveloppez dans vn taffetas, furent mis dans la biére & portez à la Tour. Ce Seigneur eſtoit âgé de 70 ans.

*A Lyon, ce 5. Fevrier* 1681. Chez ANTOINE JULLIERON, ſeul Imprimeur & Libraire ordinaire du Roy, du Clergé, & de la Ville, en la place de Confort.

*Avec permiſſion de l'Intendant du Bureau d'Adreſſe.*

515. L. 2.
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# THE SPEECH OF William Howard,

Late

## Lord Viſcount Stafford;

*Upon the Scaffold on Tower-Hill, immediately before his Execution,* Wedneſday Decemb. 29. 1680.

BY the Permiſſion of Almighty God, I am thus brought hither to ſuffer Death, as if I were guilty of High Treaſon: I do moſt truly, in the Preſence of the Eternal, Omnipotent, and All-knowing GOD, proteſt upon my Salvation, That I am as Innocent as it is poſſible for any man to be, ſo much as in a Thought, of the Crimes laid to my Charge.

I acknowledg it to be a particular Grace and Favour of the Holy Trinity, to have given me this long Time to prepare my ſelf for Eternity: I have not made ſo good uſe of that Grace as I ought to have done, partly by my not having recollected my ſelf as I might have done, and partly becauſe, not only my Friends, but my Wife and Children, have for ſeveral daies been forbid to ſee me, but in the preſence of one of my Warders. This hath been a great Trouble and Diſtraction unto me: but I hope God of his Infinite Mercy will pardon my Defects, and accept of my good Intentions.

Since my long Impriſonment, I have conſidered often what could be the Original Cauſe of my being thus accuſed, ſince I knew my ſelf not culpable, ſo much as in a Thought; and I cannot believe it to be upon any other Account, than my being of the Church of *Rome*. I have no Reaſon to be aſhamed of my Religion; for it teacheth nothing but the Right Worſhip of God, Obedience to the King, and due Subordination to the Temporal Laws of the Kingdom; And I do ſubmit to the Articles of Faith believed and taught in the Catholick Church, believing them to be moſt conſonant to the Word of God. And whereas it hath ſo much and often been objected, that the Church holds, That Sovereign Princes Excom-

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municated by the Pope, may by their Subjects be Depoſed and Murdered; as to the Murder of Princes, I have been Taught as a matter of Faith in the Catholick Faith, that ſuch Doctrine is diabolical, horrid and deteſtable, and contrary to the Law of God, Nature and Nations; and as ſuch, from my heart I renounce and abominate it. As for the Doctrine of Depoſing Princes, I know ſome Divines of the Catholick Church hold it, but as able and learned as they have writ againſt it: but it was not pretended to be the Doctrine of the Church, that is, any point of Catholick Faith: wherefore I do here in my Conſcience declare, That tis my true and real Judgment, That the ſame Doctrine of Depoſing Kings is contrary to the Fundamental Laws of this Kingdom, injurious to Sovereign Power, and conſequently would be in me, or any other of his Majeſties Subjects, impious and damnable. I believe and profeſs, that there is one God, one Saviour one Holy Catholick Church, of which, through the Mercy, Grace and Goodneſs of God, I die a Member.

To my great and unſpeakable Grief, I have offended God in many things, by many great Offences; But I give him moſt humble than[k]s, not in any of thoſe Crimes of which I was accuſed.

All the Members of either Houſe having liberty to propoſe in the Houſe what they think fit for the good of the Kingdom, accordingly I propoſed what I thought fit: the Houſe is judge of the fitneſs or unfitneſs of it, and I think I never ſaid any thing that was unfitting there, or contrary to the Law and uſe of Parliament; for certainly if I had, the Lords would, as they might, have ſome way puniſhed me; So I am not culpable before God, or Man.

It is much reported of Indulgences, Diſpenſations, Pardons, to Murder, Rebel, Lye, Forſwear, and commit ſuch other Crimes held and given in the Church. I do here proteſt in the preſence of God, I never learned, believed, or practiſed any ſuch things, but the contrary; and I ſpeak this without any Equivocation or Reſervation whatſoever, And certainly were I guilty either my ſelf, or knew of any one that were guilty, whoſoever that were ſo, of any of thoſe Crimes of which I am accuſed, I were not onely the greateſt Fool imaginable, but a perfect Madman, and as wicked as any of thoſe that falſly have accuſed me, if I ſhould not diſcover any ill deſign I knew in any kind; and ſo upon diſcovery ſave my Life, I having ſo often had ſo fair occaſions propoſed unto me, and ſo am guilty of Self-murder, which is a moſt grievous and hainous ſin. And though I was laſt impeached at the Lords Bar, yet I have great grounds to believe that I was firſt brought to Tryal on the belief that to ſave my life I would make ſome great Diſcovery; and truly ſo I would, had I known any ſuch thing of an ill deſign, or illegal dangerous Plot, either of my ſelf, or any other perſon whoſoever, without exception. But had I a thouſand Lives, I would loſe them all, rather than falſly accuſe either my ſelf, or any other whoſoever: And if I

had known of any Treaſon, and ſhould thus deny it, as I do now upon my Salvation at this time, I ſhould have no hope of Salvation; which now I have through the Merits of Chriſt Jeſus.

I do beſeech God to bleſs his Majeſty, who is my lawful King and Soveraign, who I was always by all Laws Humane and Divine, bound to obey: and I am ſure that no Power upon Earth, either ſingly or all together can legally allow me or any body elſe to lift a hand againſt him or his Legal Authority. I do hold that the Conſtitution of the Government of this Kingdom is the only way to continue Peace and quietneſs; which God long continue.

Next to Treaſon, I hold Murder in abhorrence, and have ever done, and do: and I do ſincerely profeſs, that if I could at this time free my ſelf immediately, and eſtabliſh what Religion I would, and what Government I would, and make my ſelf as Great as I could wiſh, and all by the death of one of thoſe Fellows that by their Perjuries have brought me to the place where I am, I ſo much abhor to be the cauſe of any mans Death, that I would not any way be the cauſe of their Murder: How much leſs would I endeavour the Aſſaſſination of his Majeſty, whom I hold to be as Gracious a King as ever this or any other Nation had, and under whom the People may enjoy their Liberties as much as ever any did: and if it pleaſe God to grant him Life and Happineſs, according as I have always wiſhed and prayed for, I am morally perſwaded that he and all his Dominions will be as happy and proſperous as ever People were; which I beſeech God grant.

I do moſt humbly ask pardon of the Almighty and All-merciful God, for all the great offences I have committed againſt his Divine Majeſty; and I know he would not have the death and confuſion of a ſinner, but that he may repent and live; in that aſſurance I hope, knowing he never deſpiſeth a contrite Heart; and though I have not ſo feeling a Contrition as I would, yet I have it as well as I can, and I doubt not but that God will accept of the good will.

I do deſire that all people will forgive me any injury that I have done them in any thing either wilfully or by chance; and I do heartily forgive all people in the world that have injured me; I forgive even thoſe Perjured men that to falſly have brought me hither by their Perjurie.

I do now upon my Death and Salvation aver, that I never ſpoke one word either unto *Oates* or *Turbervil*, or to my knowledge ever ſaw them until my Trial; and for *Dugdale*, I never ſpoke unto him of any thing but about a Foot-boy, or Foot-man, or Foot-race; and never was then alone with him. All the punihment that I wiſh them, is, that they may repent and acknowledge the wrong they have done me; then it will appear how Innocent I am. God forgive them! I have a great confidence that it will pleaſe Almighty God, and that he will in a ſhort time bring Truth to light; then you and all the world will ſee and know what injury they have done me.

I hope I have made it appear that I have ſome Conſcience: for if I had none, certainly I would have ſaved my Life by acknowledging my ſelf guilty. which I could have done, tho I know I am not in the leaſt Guilty. And I having ſome Conſcience, make very ill uſe of it; for I throw my ſelf into eternal Pain by thus plainly and conſtantly denying thus at my Death, the Knowledge of what I am accuſed of in the leaſt.

I have ſaid thus much in diſcharge of my Conſcience, and do aver upon my Salvation, what I have ſaid to be really true.

I ſhall ay little of my Trial; and whether it were all according to the known Law, I am too much a Party to ſay much of it: if it were not ſo, God forgive him or them that were the cauſe of it.

My Judges were all Perſons of Honour, who were all as much bound to judge rightly, as if they had been upon Oath upon what was legally proved; and not to Vote but according as in their Conſciences they were ſatisfied; and if any of them did otherwiſe upon any account whatſoever, I beſeech God forgive them, I do ſo heartily.

I ſhall end with my hearty Prayers for the happineſs of his Majeſty, that he may enjoy all happineſs in this world and the world to come, and govern his People according to the Laws of God, and that the People may be ſenſible what a Bleſſing God hath ſo miraculouſly given them, and obey him as they ought. I ask Pardon with a proſtrate heart of Almighty God, for all the great Offences that I have committed againſt his Divine Majeſty, and hope through the Merits and Paſſion of Chriſt Jeſus, to obtain everlaſting Happineſs; into whoſe hands I commit my Spirit, asking Pardon of every perſon that I have done any wrong unto: I do freely forgive all that have any ways wronged me; I do with all the Devotion and Repentance that I can, humbly invoke the Mercy of our Bleſſed Saviour.

I beſeech God not to revenge my Innocent Blood on the Nation, or on thoſe that were the Cauſers of it, with my laſt Breath. I do with my laſt Breath truly aſſert my Innocency, and hope the Omnipotent All-ſeeing Juſt God will deal with me accordingly.

FINIS.

515. L. 2.
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THE

# SPEECH

OF

# WILLIAM

late LORD

# Viſcount Stafford,

ON THE

# SCAFFOLD

ON

# Tower-Hill,

Immediately before his

# EXECUTION,

Wedneſday, *Decemb.* 29. 1680.

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Printed by the Original Copy.

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*LONDON:*

Printed for *W. Bailey*, in the year 1680.

# THE SPEECH OF *WILLIAM* late Lord Viſcount Stafford.

BY the permiſſion of Almighty God, I am this day brought hither to ſuffer Death, as if I were guilty of High-Treaſon: I do moſt truly, in the preſence of the Eternal, Omnipotent, and All-knowing God, proteſt upon my Salvation, That I am as Innocent as it is poſſible for any man to be, ſo much as in a thought, of the Crimes laid to my charge.

I acknowledge it to be a particular grace and favour of the Holy *Trinity*, to have given me this long time to prepare my ſelf for Eternity: I have not made ſo good uſe of that Grace as I ought to have done, partly by my not having ſo well recollected my ſelf as I might have done, and partly becauſe not onely my Friends, but my Wife and Children, have for ſeveral days been forbid to ſee me but in the preſence of one of my Warders. This hath been a great trouble and diſtraction unto me; but I hope God of his infinite mercy will pardon my Defects, and accept of my good Intentions.

Since my long impriſonment, I have conſidered often what could be the Original Cauſe of my being thus accuſed, ſince I knew my ſelf not culpable, ſo much as in a thought; and I cannot believe it to be upon any

other account, than my being of the Church of *Rome*. I have no reaſon to be aſhamed of my Religion; for it teacheth nothing but the right Worſhip of God, Obedience to the King, and due Subordination to the Temporal Laws of the Kingdom: And I do ſubmit to all Articles of Faith believed and taught in the Catholick Church, believing them to be moſt Conſonant to the Word of God. And whereas it hath ſo much and often been objected, that the Church holds that Soveraign Princes Excommunicated by the Pope, may by their Subjects be Depoſed or Murdered; as to the Murder of Princes, I have been taught as a matter of Faith in the Catholick Faith, that ſuch Doctrine is diabolical, horrid, and deteſtable, and contrary to the Law of God, Nature, and Nations; and as ſuch, from my heart I renounce and abominate it. As for the Doctrine of Depoſing of Princes, I know ſome Divines of the Catholick Church hold it, but as able and learned as they, have writ againſt it; but it was not pretended to be the Doctrine of the Church, that is, any point of Catholick Faith: Wherefore I do here in my Conſcience declare, that it is my true and real Judgement, That the ſame Doctrine of Depoſing Kings is contrary to the Fundamental Laws of this Kingdom, injurious to Soveraign Power, and conſequently would be in me, or any other of his Majeſties Subjects, impious and damnable. I believe and profeſs, that there is one God, one Saviour, one holy Catholike Church, of which, through the mercy, grace, and goodneſs of God, I die a Member.

To my great and unſpeakable grief, I have offended God in many things, by many great offences; But I give him moſt humble thanks, not in any of thoſe Crimes of which I was accuſed.

All the Members of either Houſe having liberty to propoſe in the Houſe what they think fit for the good of the Kingdom, accordingly I propoſed what I thought fit: the Houſe is judge of the fitneſs or unfitneſs

of

of it, and I think I never ſaid any thing that was unfitting there, or contrary to the Law and uſe of Parliament; for certainly if I had, the Lords would, as they might, have ſome way puniſhed me: So I am not culpable before God or Man.

It is much reported of Indulgences, Diſpenſations, Pardons, to Murder, Rebel, Lye, Forſwear, and commit ſuch other Crimes held and given in the Church. I do here profeſs in the preſence of God, I never learned, believed, or practiſed any ſuch things, but the contrary; and I ſpeak this without any Equivocation or Reſervation whatſoever: And certainly were I guilty either my ſelf, or knew of any one that were guilty, whoſoever that were ſo, of any of thoſe Crimes of which I am accuſed, I were not onely the greateſt fool imaginable, but a perfect Madman, and as wicked as any of thoſe that ſo falſly have accuſed me, if I ſhould not diſcover any ill deſigne I knew in any kind, and ſo upon diſcovery ſave my life, I having ſo often had ſo fair occaſions propoſed unto me, and ſo am guilty of Self-murder, which is a moſt grievous and hainous ſin. And though I was laſt impeached at the Lords Bar, yet I have great grounds to believe that I was firſt brought to Tryal on the belief that to ſave my Life I would make ſome great Diſcovery; and truly ſo I would, had I known any ſuch thing of any ill deſigne, or illegal dangerous Plot, either of my ſelf, or any other perſon whoſoever, without exception. But had I a thouſand Lives, I would loſe them all, rather than falſly accuſe either my ſelf, or any other whoſoever: And if I had known of any Treaſon, and ſhould thus deny it, as I do now upon my Salvation at this time, I ſhould have no hope of Salvation, which now I have through the Merits of Chriſt Jeſus.

I do beſeech God to bleſs his Majeſty, who is my lawful King and Soveraign, who I was always by all Laws Humane and Divine, bound to obey; and I am ſure that no Power upon Earth, either ſingly or all together,

can legally allow me or any body elſe to liſt a hand againſt him or his Legal Authoritie. I do hold that the Conſtitution of the Government of this Kingdom is the onely way to continue Peace and Quietneſs; which God long continue.

Next to Treaſon, I hold Murder in abhorrence, and have ever done, and do; and I do ſincerely profeſs, that if I could at this time free my ſelf immediately, and eſtabliſh what Religion I would, and what Government I would, and make my ſelf as great as I could with, and all by the death of one of thoſe Fellows that by their Perjuries have brought me to the place where I am, I ſo much abhor to be the cauſe of any mans death, that I would not any way be the cauſe of their Murder: How much leſs would I endeavour the Aſſaſſination of his Majeſty, whom I hold to be as gracious a King as ever this or any other Nation had, and under whom the People may enjoy their Liberties as much as ever any did: and if it pleaſe God to grant him Life and Happineſs, according as I have always wiſhed and prayed for, I am morally perſwaded that he and all his Dominions will be as happie and proſperous as ever People were; which I beſeech God grant.

I do moſt humbly ask pardon of the Almightie and All-merciful God, for all the great offences I have committed againſt his Divine Majeſtie; and I know he would not have the death and confuſion of a ſinner, but that he may repent and live: in that aſſurance I hope, knowing he never deſpiſeth a contrite heart; and though I have not ſo feeling a Contrition as I would, yet I have it as well as I can, and I doubt not but that God will accept of the good will.

I do deſire that all people will forgive me any injury that I have done them in any thing either wilfully or by chance; and I do heartily forgive all people in the world that have injured me; I forgive even thoſe Perjured men that ſo falſly have brought me hither by their Perjurie.

I do now upon my Death and Salvation aver, that I never ſpoke one word either unto *Oates* or *Turbervil*, or to my knowledge ever ſaw them until my Trial; and for *Dugdale*, I never ſpoke unto him of any thing but about a Foot-boy, or Foot-man, or Foot-race; and never was then alone with him. All the puniſhment that I wiſh them, is, that they may repent and acknowledge the wrong they have done me; then it will appear how innocent I am. God forgive them! I have a great confidence that it will pleaſe Almighty God, and that he will in a ſhort time bring Truth to light; then you and all the world will ſee and know what injury they have done me.

I hope I have made it appear that I have ſome Conſcience; for if I had none, certainly I would have ſaved my Life by acknowledging my ſelf Guilty; which I could have done, though I know I am not in the leaſt Guilty. And I having ſome Conſcience, make very ill uſe of it; for I throw my ſelf into eternal Pain by thus plainly and conſtantly denying thus at my Death, the knowledge of what I am accuſed of in the leaſt.

*I* have ſaid thus much in diſcharge of my Conſcience, and do aver upon my Salvation, what *I* have ſaid to be really true.

*I* ſhall ſay little of my Trial; and whether it were all according to the known Law, *I* am too much a Party to ſay much of it: if it were not ſo, God forgive him or them that were the cauſe of it.

My Judges were all Perſons of Honour, who were all as much bound to judge rightly, as if they had been upon Oath upon what was Legally proved; and not to Vote but according as in their Conſciences they were ſatisfied; and if any of them did otherwiſe upon any account whatſoever, *I* beſeech God forgive them, *I* do ſo heartily.

*I* ſhall end with my hearty Prayers for the happineſs of his Majeſty, that he may enjoy all happineſs in this world and the world to come, and govern his People ac-

according to the Laws of God, and that the People may be ſenſible what a Bleſſing God hath ſo miraculouſly given them, and obey him as they ought. *I* ask Pardon with a proſtrate heart of Almighty God, for all the great Offences that *I* have committed againſt his Divine Majeſty, and hope through the Merits and Paſſion of Chriſt Jeſus, to obtain everlaſting Happineſs; into whoſe hands *I* commit my Spirit, asking Pardon of every perſon that *I* have done any wrong unto: *I* do freely forgive all that have any ways wronged me; *I* do with all the Devotion and Repentance that *I* can, humbly invoke the Mercy of our bleſſed Saviour.

*I* beſeech God not to revenge my innocent Bloud on the Nation, or on thoſe that were the Cauſers of it, with my laſt Breath. *I* do with my laſt Breath truely aſſert my *Innocency*, and hope the Omnipotent All-ſeeing Juſt God will deal with me accordingly.

FINIS.

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# A TRUE RELATION

OF A LATE

## BARBAROUS ASSAULT

Committed upon

# Robert Pye Esq;

515. l. 2
43

One of His Majesties Justices of the Peace for the County of *HEREFORD.*

Who Died thereof 30 *JAN.* 1680.

BY

# John Bodnam Esq;

*A Notorious Papist:*

Whom he went about to apprehend, for Refusing to Obey the ORDERS of the

*QUARTER SESSIONS;*

Whereby he was Summoned to take the

OATHS of *ALLEGEANCE, &c.*

As it was Certified, *&c.*

*LONDON:*
Printed by *THO. JAMES.* M. DC. LXXXI.

# A True RELATION Of a Late Barbarous ASSAULT

Committed upon

## *ROBERT PYE* Eſq;

WHether it be Folly or Madneſs for the Papiſts to give ſuch bloody Experiments of their Cruelty, is a thing which one would think might be eaſily determin'd among Chriſtians. And yet they have their witty as well as their crafty Defenders of all their Villanies. Certainly at length Men will take the Meaſure of *Hercules* by his Foot, and gueſs at their Sanguine Deſigns of General Maſſacres, by their Violent Outrages upon particular perſons. One would think that it were an Article of the Roman Catholick Faith to murther Proteſtant Juſtices of the Peace. Ever ſince the Diſcovery of the Plot, they have been committing ſome Villany or other. They began with Sir *Edmond-bury Godfrey*; the next Object of their revenge was Mr. *Arnold*, and now we are to give you the Relation of another Exploit no leſs wicked then either; God, as we have great Reaſon to believe, ſtill hardning their hearts, to open the eyes of thoſe that blindly defend their Cauſe, and labour to extenuate their Crimes.

Since the Diſcovery of the late Plot, it is well known what care has been taken to give orders to ſeveral Juſtices of the Peace in their ſeveral Stations to watch the Deſigns and Proceedings of the Papiſts, and to take care of the Publick Tranquillity in their ſeveral Counties. In Purſuance of which Orders ſeveral Warrants were granted at the Quarter-Seſſions for the County of *Hereford* againſt one *John Bodnam* of *Brunguin* in the ſaid County Eſq. as being known to be an obſtinate and violent Papiſt, and one that ſtill refuſed to take the Oaths which the Law required, or to Obey any Warrant either of any ſingle Juſtice of the Peace, or joyntly Sign'd at the Seſſions, but keeping cloſe in his Houſe as his Garriſon, defended himſelf againſt the Conſtables, and their Aſſiſtants, ſome of whom he hath ſhot and wounded. This Mr. *Bodnam* living near to a Place called the *Meene*, the Manſion-Houſe of *Robert Pye* Eſq. one of his Majeſties Juſtices of the Peace for the ſame County, an Eminent and Worthy Proteſtant, and a Gentleman of great Honour and Value in his Country, and now to be lamented with an equal ſorrow to that which bewaild the fall of Sir *Edmond-bury Godfrey*, ſo like to his; the ſaid Mr. *Pye*, could not but think it a Scandal to the Government, and a great neglect of his Duty, in regard of his Office, that ſo notorious a Papiſt ſhould live as it were under his Noſe, ſo openly refractory, and in a rebellious defiance of the Law. For which reaſon he gave out a Warrant for his Apprehenſion, which the Conſtable being afraid to Execute alone, he therefore ſent ſome of his own ſervants to Aid and Aſſiſt him. But Mr. *Bodnam*, keeping his doors faſt, defended himſelf ſo well, or rather ſo ill, that the Conſtable and his Aſſiſtance were forced to retire and leave him, for the ſafety of their lives, then which a *Tore*, or an *Out-Law* could have done no more. Some-

Sometime after this, that is to ſay, on the 12*th* of *January* laſt, it was Mr. *Pyes* misfortune to ſpye his unruly Neighbour *Bodnam*, walking in his own grounds; whereupon, having at the ſame time an Order of Seſſions for the ſaid Mr. *Bodnam's* Apprehenſion about him, and bethinking with himſelf, that his Oath and the Duty of his Place, in Honour obligʼd him to apprehend an Offender who had ſo often offended; he went to him, and commanded him to ſurrender himſelf as a Priſoner to the Law. Mr. *Bodnam*, having a Hedg-Bill in his hand, replied according to the uſual Language of his Popiſh Litany, (Dam me) *Stand off, or Iʼll cleave you down.* The Juſtice made anſwer, Mr. *Bodnam*, *You know I am too much a Man to fear you.* For it ſeems he had formerly hand to hand taken him Priſoner, and let him go upon his parole, which he afterwards perfidiouſly and diſhonourably broke; and for his juſtification ſent him word, That no Faith was to be kept with Hereticks. Mr. *Pye*, having therefore given him to underſtand, as before, that he did not fear him, told him further in theſe words, *I came not now as a ſingle perſon to fght you, but as a Magiſtrate, according to Law, to apprehend you; and therefore I require you to ſurrender your ſelf peaceably*: Which Mr. *Bodnam* refuſing to do, Mr. *Pye* bravely and vigorouſly preſsʼd in upon him, which this ſame Papiſtical Butcher perceiving, ſtoppʼd back, and in good earneſt let fly at his head with his Hedg-Bill (no bad Argument for the truth of the Black Bills prepared for the Papiſts in *Ireland*) and having ſtunnʼd the valiant Magiſtrate with the firſt, with the ſecond blow fellʼd him to the ground; preſently company coming in prevented the immediate Murther of the Gentleman and ſeized upon the Criminal *Bodnam.* The Wounded Mr. *Pye* recovered his Senſes ſometime after, but it was only to increaſe his Pain: For after he had continued ill about Eighteen days in a lingring condition, upon the 30*th* of *January* laſt he departed this life, the Sacrifice of Papiſtical Diſobedience and Rebellion, not only to the unſpeakable Grief of his Family and Relations, but of all who had the Honour to be acquainted with him. Nor is he leſs lamented by all the true Proteſtants as well in the ſame, as in the Adjacent Counties. Tis true the Murtherer will be doubtleſs hangʼd; but here is the ſeverity of the Exchange, We have loſt an Induſtrious and Valiant Magiſtrate; the Papiſts only a looſe baſe Butcherly Villain.

This is now the Second Prank that has been playʼd in *Herefordſhire*, or by men of that County, the worſt of Contagions, ſhould it from thence ſpread any farther. Here are fair warnings and fair diſcoveries of the very Bottoms of the Papiſts hearts, but they coſt too dear. Here is a petty Kingdom, that is to ſay, a whole Family, put into a fatal Confuſion at two blows, to ſhew their Deſigns were real againſt the Great Maſter of the Univerſal Family of the Nation. And theſe are the barbarous Effects of Popiſh Zeal, from which Good Lord deliver us.

Now 'tis a hundred to one, but that as ſoon as this ſame Caitiff ſhall be hangʼd, the Papiſts will deny that ever there were any ſuch Perſons as Mr. *Pye* or *Bodnam*, and perhaps that there is any ſuch County of *Hereford.* But ſuch Blots in their Scutcheons as theſe, will not be ſo eaſily wiped away. But they will find the Engliſh Inquiſition after Blood, to be as reſolute as their own Spaniſh Inquiſition after Hereſy; and therefore his *Holyneſs* would do well to admoniſh his Creatures to proceed with leſs paſſion, and to be more Submiſſive to the Commands and Orders of their Temporal Princes.

*FINIS.*

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515. l. 2
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An Impartial

# ACCOUNT

OF THE

# MISFORTUNE

That lately happened to

The RIGHT HONOURABLE

# PHILIP

K. Herbert (P.)

# Earl of Pembrooke

AND

# MONTGOMERY.

Together with

A true and juſt Relation taken not onely from the Conſtable that was then upon the Watch, but from ſober and eminent Citizens of *London* that went down on purpoſe to know the bottom of that barbarous Injury.

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*Odi Prophanum Vulgus.*

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*LONDON*:
Printed for *Sam. Miller*. 1686.

# An Impartial ACCOUNT OF THE MISFORTUNE That lately happened to the Right Honourable PHILIP Earl of *Pembrooke* and *Montgomery*.

IT is certainly very difficult to judge whether the ſcurrilous Language of our Modern-ſawcy-Pamphlet-Scriblers (who write any thing ſo they may come firſt to get the Penny) or the inſolent behaviour of an ignorant Conſtable, and his worſe than High-waymen Watch, are leſs tolerable; the former either miſtakes or magnifies that Crime which his Brother Coxcomb (if not altogether the Cauſe) is ſure to have the greateſt ſhare in: as in the particular Caſe of this Noble Lord, is too plainly demonſtrable, a Perſon of that admirable goodneſs, Affability, and Generoſity, that Nature was obliged to throw in ſomewhat more of humane frailty, leſt his more Eminent Vertues ſhould render him almoſt the Envy of Mankind; one that is never mentioned but with Reſpect and Honour by all that know him, and reputed ill by onely ſuch as are not worthy his Acquaintance. Who going on Wedneſday laſt, as well to take the Air as his leave of the Lords *D.* and *C.* intending then ſuddenly for *Wilton*, was eſpied by one *Smeethe* a Gentleman, ſome ſay, and belonging to the Court, others no better than a Prize-Player; but what e're he was, he was heard to ſay, theſe words: *Yonder goes the mad Peer; we ſhall have him come back again drunk at Twelve of the clock; but I'le be upon the Watch my ſelf to night, and ſee what Mettle he's made of; I'le ſee if I can tame him.* And indeed he had like to have been as good as his word, for his Lordſhip coming back, though not in drink as Mr. *Smeethe* before ſurmiz'd, was rudely ſet upon by the ſaid *Smeethe*, who before had taken the Conſtables Staff from him, becauſe he was unwilling to interrupt my Lord in his going home, and perſwaded *Smeethe* likewiſe not to diſturb him. Notwithſtanding this, *Smeethe* commands the Coach to ſtop, my Lord to drive on; upon that, *Smeethe* and his Accomplices knock the Poſtillian and Coachman down; and then with rough and unmannerly Language, demands of his Lordſhip where he had been, and whither going?

ing? who made no other Anſwer but that he was *PEMBROKE*, and going home; but *Smeethe* perſiſting in his impertinent Queſtions, my Lord cry'd out, *What ails theſe fellows, do ye intend to rob me?* upon which *Smeethe* and the reſt puſht at my Lord and his Company with their Staves, ſo that my Lord was obliged to quit his Coach: which he had no ſooner done, but *Smeethe* was ſo near *taming of him*, as he call'd it, that he knockt his Lordſhip flat on the ground; who endeavouring to get up, and draw his Sword (ſtill ſtaggering with the blow) reel'd upon *Smeethe*; and Providence at the ſame time turning the Tables, brought that fate upon *Smeethe*, which unqueſtionably he intended to his Lordſhip. Nor had this Quarrel gone ſo far, if his Lordſhip had condeſcended to give them that Money to drink which they ſo impudently demanded. As for the other perſon, by name Mr. *Half-penny*, who in truth is a Conſtable; it may be ſaid of him as it was of a much better man who loſt his Life at *Maeſtrickt* out of his Poſt, *What made him there?* When according to his Duty and Oath he ought to be taking care of his own Watch, and not drinking with another Conſtable upon his. All this while there was onely his Lordſhip and one Gentleman that endeavoured to defend themſelves; another and his Lordſhips ſervants being wholly imployed in perſwading and begging of the Savage Watchmen to ſpare his Lordſhip and his generous Aſſiſtant: which they were ſo far from granting, that the very Supplicants themſelves, who endeavoured all they could to preſerve the peace, ſhar'd in his Lordſhips Fortune, and were all knockt down, and his Lordſhip ſeized, and hurried to a little houſe on *Turnham-Green*; from whence about one of the clock his Lordſhip came for *London*.

This is the real Truth of the whole Action, and will be atteſted by ſeveral People of Worth and Quality, whenever his Lordſhip ſhall be call'd to his Tryal.

And now it may be neceſſary to undeceive the world, and let them know, that this is not the twenty ſixth man my Lord of *Pembrooke* has kill'd, as hath been impudently aſſerted in Coffee-houſes ſince this Accident; when in truth every ſenſible man is, or may be eaſily aſſur'd, that his Lordſhip was never taxed with any thing of this nature, but that of Mr. *Coney*: And then beſides the Acquittal of his Peers, there were ſome Phyſicians did aſſert, that Mr. *Coney* did not die of the Bruiſe given by my Lord of *Pembrooke*, but of an inward Cauſe acquired by himſelf.

*This Relation had never come forth, but to ſatisfie the tender Conſciences of the People, who after ſuch an Accident (though never ſo unavoidable) are always talking and often dreaming of Murder and Deſtruction. And to aſſure them that his Lordſhip is no Monſter, has no Cloven-feet, no Sawcer-eyes, but is e'en juſt ſuch another Man as their own Relations; onely with this difference, That he has more Gallantry and Honour, and cannot bear the inſolent Affronts of the* MOBILE *without Reſentment.*

FINIS.

H. 227

# Great and Bloody News.

FROM

# Turnham-Green,

OR A

# RELATION

Of a ſharp Encounter,

Between the Earl of *Pembrook*, and his Company, with the Conſtable and V-Watch belonging to the Pariſh of *Chiſwick* on the 18 Inſtant.

In which Conflict one Mr. *Smeethe* a Gentleman, and one Mr. *Halfpenny* a Conſtable of the ſaid Pariſh were mortally Wounded, of which Wounds the former within a ſhort time after died and the latters Recovry diſpaired of; as alſo of his Lordſhips being knocked down, and taken Priſoner by Mr. *Smeethe* aforeſaid, after he had Received his Deaths Wound; with ſeveral other remarkable Circumſtances that happened in and after the Diſpute.

SO much does Barbarous Inhumanity abound in this moſt wicked Age, that Outrages grows frequent, that no man is aſſured of his ſafety, Cruelties, being Acted for Diverſion and Murthers made a ſport of, to pleaſe the Fancies of ſuch Deſperadoes as in their high flown Bravery, would make or at leaſt ſhew themſelves dreadful to the World by being dy'd in Blood of Innocents, and bedewing of the Earth with Widdows and Orphans Tears; but ſure it is Heavens Indignation will not be ſilent ever, but wrath Divine break forth in fearful Ruine on the Guilty Heads of ſuch who take delight to injure and deſtroy their fellow-Creatures, whom God has ſtamped with the ſame Image, and indued with Souls Rational, and perhaps ſuperiour

in worth, unto thoſe whoſe Envy their goodneſs has provoked to deſtroy them; how many Murthers have of late Allarumed this affrighted Land and Bloodſheds, as well in this great Metropolis, as in its Suburbs, and divers other places. How many have fell by wicked impious hands, when they leaſt ſuſpected Death, without giving the leaſt provocations; and not only ſo, but dayly Affronts are thrown in the Face of Authority by ſuch whom nought but hailful miſchiefs pleaſe; whom ſteaming ſlaughter only can delight, whilſt Violences are their Dayly Exerciſes for ſuch Iniquities the Land Mourns againſt ſuch it was that the Souls under the Altar cried aloud to their Eternal Maker, How long O Lord God, Holy, Juſt and Righteous will it be e're thou avenge us on thoſe that dwell upon the Earth: and as the Prophet again complaineth, their hands are full of Violence, for certain 'tis no Cryes or Cries louder before the Throne of the juſt God of all the Earth for Vengeance then cauſeleſly ſhedding Mans Blood and defacing the Image of himſelf that he has Created to ſerve him, but that Perſons nobly Born, and of high Extract ſhould diſgrace and diſparage the Name of true Nobility by ſuch degenerate Barbarities, is much more to be admired ſince all Heroick Souls (and ſuch ſhould eſpecially lodg in noble *Breaſts*) naturally have an antipathy againſt unmanly Actions, deteſting horrid Murthers and Aſſaults moſt foul, ſtill giving Reſpect to ſuch whoſe Offices and places by the inſtitution of the Laws demand no leſs, but much more againſt Night-Revelling, and grand Debaucheries, the which too many of this Age are prone unto as may more particularly be obſerved in this laſt exploit, which now muſt be the Subject of our Narration, the which is related in its horrid Circumſtances as followeth. *Phillip* Earl of *Pembrook* and *Mountgomery*, with ſeveral other of his Retinue, having been abroad at Dinner at a perſon of Qualities on Wedneſday being the 18th of this inſtant *Auguſt* 1680. where drinking till it was late, and then as it is ſaid being ſomewhat High flown with Wine, they returned homewards in a Hackney-Coach, till at laſt croſſing over *Turnham*-Green, they were ſtopped by the Watch belonging to the Pariſh of *Chiſwick*, the Conſtable of the ſaid Watch being then with one Mr. *Sweethe* a Gentleman belonging to the Court, and one Mr. *Halfpenny* another Conſtable of the ſaid Pariſh, who juſt came from *London* with the former Conſtable, and went to drink at the Cock and half Moon, who upon

on notice of a Coach being ſtopped, came out of the Houſe, and coming cloſe up to the ſide of it, demanded who the perſons were, and whether they were deſigned, not knowing it to be my Lord of *Pembroke*, nor that they had ſuch dangerous perſons to deal withal; but being ſharply anſwered, they made the like Return, whereupon as it is creditably related, his Lordſhip opening the other ſide of the Coach, came out and whileſt the Parties foremention'd were talking to the reſt, not dreaming of ſuch a Fate, he came upon them unawares, and with his Sword run *Smeethe* firſt into the Belly quite through, the Weapon paſſing out, and then wheeling about, made at *Halfpenny*, and with a paſs run him quite through the Body, in on one ſide, and out of the other; and afterwards through the Riſt, ſo furious was he to Deſtruction bent; and had done greater Miſchief, had not Mr. *Smeethe* feeling himſelf wounded, cried out *I will not be thus killed like a Dog*, and thereupon caught a Staff out of one of the Watchmens hands, he having none before, and with the ſame Knocked his Lordſhip down, who then began to cry for Quarter, upon which his Servants came and fell upon him to ſave him from Blows, which *Smeethe* ſeeing, ſaid, My Lord you have given me my Deaths-wound, and I could kill you now, having you thus at my Mercy, if I pleaſed, but that I ſcorn ſo foul and baſe a Deed and thereupon ſeiſed him as his Priſoner, whilſt the reſt of his Retinue which were about ſix in number were obliged to ſubmit; ſeveral of the Watchmen having broke their Staves in defending themſelves and making a ſtout Reſiſtance, after his Lordſhip was taken he was by the Order of the Conſtable of the Watch conveyed to the Cock and Half-Moon, ſtrongly Guarded, for upon the *Brunt* of the Skirmiſh all the people in the Green were Alarumed where they after he was diſarm'd put him into a Chamber, and the Conſtable went in and diſcourſed with his Lordſhip of the heinouſneſs of the Affront and Violence he had done to the Kings Watch, at which he ſeemed little concerned.

During the Uproar and Tumult, a perſon of Quality as it is ſaid came by, who underſtanding what the Cauſe of it was, and how his Lordſhip was taken, went to viſit him, and after a long Conference with the Conſtable of the Watch, his Lordſhip was ſuffered to depart unknown to moſt of the Company; they being given to underſtand that he was Aſleep, and that none muſt diſturb him, *&c.* This exploit was done about twelve of the Clock

Clock, in the Evening, and after his Lordſhip was let go, which was about one, it is ſaid he made all ſpeed for *London*, he being gon the Wounded men were looked after, and Chirurgions immediately ſent for, who no ſooner came, but found the Wounds to be Mortal, one *viz.* *Halfpenney* having bled ſo exceſſively that he fainted away; and the other, *viz.* *Smeethe* in a ſhort time afterwards died, he being a Man of a conſiderable Eſtate, and ſo ſtout that it is believed, had he not been ſurpriſed at unawares, and unarmed as he was, none could have wronged him either with Sword or Staff; and a perſon ſo far from offering an abuſe to any, that he abhor'd the Company of ſuch as he knew to be Guilty of the ſame Mr. *Halfpenny* being carried home, the Chirurgions upon ſight of his Wound darſt not Venture to ſearch the Wound to any deepneſs, for fear that his Lungs ſhould be pierced, or ſome other his of Vital parts; ſo that they diſpair of his ever Recovering, and look every day that he will die; there was likewiſe a third perſon hurt, *viz.* a poor Fellow who was lately diſcharged from a Farmers Service of that place, but his Wounds were but ſlight. On Fryday the Crovvner and his Jury ſate upon the deceaſed; but could not agree in giving in their Verdict.

**FINIS.**

**Printed by D. M. 1680.**

# TRYAL and CONDEMNATION

OF

Several Notorious Malefactors, at a Sessions of *OYER* and *TERMINER* holden for the City of LONDON, County of *Middlesex*, and Goal Delivery of *Newgate*: Beginning *April* 13. 1681. Ending the 14 of the same Month:

AT THE

# Sessions-House

IN THE

# OLD BAYLY,

With the Names of those that receiv'd Sentence of Death, Burnt in the hand, Transported and to be whipt.

*Together with the Proceedings against Two Popish Priests, one of them being to be Drawn, Hang'd and Quartered.*

*Also the Tryal of* Joseph Hindmash, *who printed and published the Blasphemous Pamphlet, Entituled,* The *Presbyterian* Pater Noster, *their* Creed, & X Commandments.

CAptain *Randal Polson* took his Tryal for Stealing a Mare, Bridle Saddle and Whip, all valued at 7 pounds, from one *Mead* on the 22 of *March*, near the *Half way house* between *Deptford* and *Kent-street*; The Circumstances of the Robbery were, That *Mead* coming from *Greenwich* met two men near the Half way house, who bid him Stand and Deliver, or they would Pistol him, at which being much surprised, he endeavoured to escape them by setting Spurs to his Mare, but in vain, for they being well mounted, pursued and fired a Pistol at him, the which although it missed him, frighted him so as to oblige him to yield to their Mercy, who after they had taken from him about 7 shillings, a Pocket book, some pieces of Ribbon, and other things of little value, they took his Mare, the which upon search was found in an Inn at *Westminster*; where the Prisoner had ordered her standing, desiring that she might be kept private, and that if any Hue and Cry came, to give him notice of it; for that he had lately wounded a man that wounded him about 2 years since: The Prisoner Pleaded he had

 nothing

nothing to do with the Mare, but that a Boy brought her thither; but upon the Inn-keepers proving the contrary, and himself having confeſſed the Robbery, he was found Guilty of Stealing the Mare, Saddle, Bridle and Whip, the laſt being found in his Lodging Chamber, but as to the Robbery, in taking other things upon the High-way, that being done in another County, he could not be Tryed in *Middleſex* for the ſame.

*Mary Snell*, and *Sarah Wood* were Tryed for Stealing a Tankard and a Brandy Cup, valued at 6 pounds from one Mrs. *Broomer* in the Pariſh of St. *Giles Cripplegate*, which they ſold to a Goldſmith in *Fleet-ſtreet*, the Proof being very plain againſt the former, ſhe was found Guilty; but the latter being Indicted only as acceſſary, was acquitted, but being a ſecond time Indicted for Stealing 6 gilded Corals from one Mr. *Harding*, in the Pariſh of St *Mary Woolnoth*, valued at 7 *l.* the which ſhe ſold to the ſame Goldſmith, ſhe was found Guilty of the Felony:

*Ann Price* was Tryed for Murthering her Baſtard Child, for that ſhe living as a Servant with a Gentlewoman near *King-ſtreet* in *Weſtminſter*, was got with Child by a fellow Servant that lived in the ſame Houſe, and uſed ſuch means to hide her Pregnancy, that it was not in the leaſt diſcernible: So that on the 26 of *March* laſt, being Delivered alone, ſhe put her Child (which upon her Tryal ſhe Pleaded was Still-Born) into a Desk or Box, and locking it, went about her ordinary Work, but ſeeming more faint and weak than uſual, her Miſtriſs began to take notice of it, and upon her bare conceit that ſhe had been Delivered, ſent for a Mid-wife, who upon ſearch found it to be true; yet the Priſoner denied it with many proteſtations, till by Promiſes and Threats they ſo far prevailed with her, as to tell them where ſhe had diſpoſed of it, at the Bar ſhe Pleaded that it was Still-born, and that ſhe being in Labour did call for help, but lying in a high Garret, could not be heard, as likewiſe that the Death of it was occaſioned by a fall ſhe had lately received, but not being able to prove it, ſhe was according to the Statute of King *James*, found Guilty of wilful Murther.

*Elizabeth Reycroft* was Tryed for Robbing *Robert Crasbrook*, to whom ſhe was Servant, of Silver Spoons, Shifts, Lace, ſeveral Table Cloths, a pair of Silver buckles, wearing Apparel, and other things to the value of 12 pound, one of the Shifts being found upon her back, and ſeveral other things about her when ſhe was taken: Her Defence was, That her Maſters Mother had given them to her, to be diligent in her Sons buſineſs, but being tripped in her Tale, the Jury having received their Charge from the Court, found her Guilty of the Felony.

*Rachel Worell* being Nurſe to the Steward of *New-Inn*, in the Pariſh of St. *Clement Danes*, who lately Deceaſed; was Indicted for taking 40 ſhillings out of his Pocket after he was dead, and Proſecuted by the Adminiſtrator of the defunct perſon; a Woman ſwore that ſhe ſaw the Priſoner take three handfuls of money out of his Pocket, and put ſeveral parcels of Linnen in her Coat and carry them away, yet there being but a ſingle Evidence, and ſeveral perſons of good note teſtifying the Priſoners honeſt Life and Converſation, it was altogether judged Malice in the Witneſs, and ſhe was aquitted.

Upon

Upon the like malicious Proſecution, one *Henry Goſs* was Tryed, the Indictment was, That the ſaid *Goſs* about a year ſince, took from the perſon of one *Seragold*, 20 *s.* in moneys, *Seragold* Swearing in Court, That the Priſoner pick't his Pocket of that Sum, near *Temple-Bar*, as he was ſtanding in a Croud, and ran away with it down *Temple-Lane*: The Priſoners Evidence making it appear, that the Proſecutor lodged over againſt the Priſoner, and might have Apprehended him when he pleaſed, but made no mention of any ſuch Robbery, till the Priſoner and he had a falling out, ſo that the Proſecution being judg'd to be grounded upon that quarrel, and the Proſecutor being known to be a man of a notorious Life and Converſation, the Priſoner was acquitted and the Proſecutor ſharply reprehended.

*Joſeph Woodal* was Tryed for Murthering one *Crofts* a Bricklayer of St. *Martins* in the Fields, the Priſoner being Servant to *Crofts* fell out with him about his Wages, on the 21. of *Feb.* and beat him ſo unmercifully, that within 3 Weeks after he dyed, having ſpit Blood for a long time, by reaſon of his inward Bruiſes, ſo that the Jury found the Priſoner Guilty of Man-ſlaughter.

*William Foot* was Tryed and Caſt, for ſtealing 8 yards of Broad-Cloth, on the 8th. of this Inſtant, from one Mr. *Palmer* in the Pariſh of St. *Clement Danes*, he being purſued and the Cloth taken from under his Arm, ere he could diſpoſe of it.

One *Edward Richardſon*, a Notorious Highway-man, was arraigned for ſeveral Notorious Robberies, by him committed on the Roads, to all which he pleaded Guilty, he having been once Sentenced for High-Treaſon and Pardoned.

*John Sully*, a Popiſh Prieſt was brought to the Bar, and being asked what he would Plead, after having begg'd the Pardon of the Court for the needleſs trouble he had put them to, in putting in a ſpecial Plea laſt Seſſions, to which Mr. Attorny General had ſince demurr'd, he pleaded Guilty, confeſſing himſelf a Prieſt, and that he had taken Orders from the See of *Rome*, deſiring wholy to caſt himſelf upon the mercy of the Bench, ſaying that ſince his having taken Orders, he had wrote a Treatiſe againſt the Popiſh Doctrine of *Depoſing Kings*, and that he had convinced about 30 Catholicks of the unlawfulneſs of that Tenent, and obliged them to take the Oaths, and that it was not above 6 Weeks ſpace betwen his being cleared at *Lancaſter*, and his being taken by Mr. *Prance* and others in *London*, In which ſpace he had ſeveral times taken the Oaths of Allegiance and Supremacy, and did intend to abjure the Realm before, but that ſickneſs hindred him, and after having heartily deſired the Court to intereeed for Mercy towards him, his Confeſſion was Recorded and he Ordered back.

*Joſeph Hindmarſh* being Indicted for Printing and Publiſhing a Blaſphemous Pamphlet, Entituled *The Presbyterians Pater Noſter, Creed*, and the 10. *Commandements* pleaded Guilty to the ſame, and was Ordered to be taken into Cuſtody.

*Mathew de Bordas*, a French woman was Tryed for Robbing one *Stephen Beaumont*, a French Merchant, with whom ſhe was Servant on the 5th. of *Feb.* laſt, of 30 Guineis, 1 Cap, 1 Coral, 3 Gold Chains, 1 Cornelian

nelian Ring, 1 Diamond Ring, 500 ounces of Plate, and 30 pound in money, the which after the Death of her Maſter were found in her cuſtody by his Executor: ſhe Pleaded her Maſter gave them her, and brought her fellow Servant to prove the ſame; yet upon full proof on the Proſecutors ſide, ſhe was found Guilty.

*Richard Eaton* was Tryed for Robbing a Ship which lay at Anchor near *New Crane* Stairs, over againſt *Wapping*, on Eaſter munday laſt, breaking open the Hatches, and taking thence Beds, wearing Cloaths, and other things appertaining to one *Thomas Slade*, the Goods being taken afterwards in his Cuſtody; he alledged, that he had them of a man who came from *Graves-end*, but not being able to prove it, he was Convicted of the Fellony, but not of the Burglary, by reaſon the Indictment was not rightly laid as to that particular.

*George Adams* was Tryed for Stealing Books to the value of 12 ſhillings from one Mr. *Cadman* a Bookſeller in the *New Exchange*, which he conveyed away whilſt the Apprentice was gone to fetch ſome Books he pretended to want, and was taken ſelling them to another Bookſeller the ſame day, which being proved in Court, he was Convicted of the Fellony.

At this Seſſions there were 8 perſons Condemned to Die, 2 Men and 6 Women, *viz. Randal Dolſon*, *Ann Price*, *Martha Bordas*, *Suſanna Hern*, *Sarah Chapman*, *Mary Snell*, *Elizabeth Reycroft*, for Murther and Fellony; And *John Francis Dickaſon* a Popiſh Prieſt, who was Tryed upon the Statute of the third of King *James*, for perverting one *Mary Cook*, then a Condemned Priſoner in *Newgate*, from the Proteſtant to the Popiſh Religion; for which being found Guilty of High Treaſon, his Sentence was to be Drawn, Hang'd and Quarter'd, Nine burnt in the hand one to be Tranſported and three to be Whipt.

*Hindmarſh* being Bailed, the Seſſions ended.

FINIS.

515. L. 2.
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# THE TRUE NARRATIVE OF THE PROCEEDINGS AT The Sessions-House IN THE OLD-BAYLY

Which began on *Wednesday* the 13th of this Instant *April* and ended on *Thursday* the 4th following.

Giving an Account of most of the Remarkable Trials there, *viz.* For Murder Fellonies and Burglaries, *&c.* with a particular Relation of their Names, and the places of their committing their Facts, with the number of those Condemned to die, Burn'd in the Hand, Transported and to be whipt.

But more especially of the Trial and Condemnation of that notorious Highway-man *Randolph Poulson*, and *John Francis Dickison* for High-Treason, who Received sentence to be Hang'd Drawn and Quartered, and *Ann Price* for Murther

*ANN Price* was Arraigned and Tried for felloniously Murthering her Bastard Male-Infant in the Parish of St. *Margaret's Westminster*; the circumstances thus, She having lived in the nature of a Servant with a Gentlewoman; as she confessed, was got with Child by a Man that was her fellow Servant; and carried it so cuningly, that no Person in the house did in the least suspect her till after she was delivered, which was without help, when wraping the Child in an Apron, she locked it up in her Box; and rising betimes in the Morning, made a Fire and went to Bed again; so that her Mistris finding her out of order, began to examine the cause; whereupon supspecting what had happen'd, she got a Midwife, who upon

inquiry found ſhe had been delivered; the which ſhe ſtoutly denied, but at laſt confeſſed ſhe had, the Child being ſtill born, and that ſhe had locked it in her Box. where it was accordingly found, this being ſworn by the Witneſs; her Anſwer was, That ſhe finding her pains come faſt upon her: knocked with her ſhoo, as loud as poſſible, but could make none hear her, by reaſon ſhe lay up three pair of ſtairs; but the concealing of the Child, being a material Point of Evidence againſt her; upon the reciting the Statute, ſhe was found guilty of Murther.

*Sibel Thomas* was indicted for the Murther of one *Mary Hut*, a Maid of about Eighteen Years of Age, living in *White-Chappel*; the manner thus, Some angry words riſing between the Mother of the Deceaſed, and the Priſoner, the Deceaſed, in taking her Mothers part, gave the Priſoner ſuch bad Language as provoked her to ſtrike her, and after having thrown her in the Kenel, to tread upon her; who in a Fortnights time after died; but ſhe being proved to be a ſickly Maid, and upon ſearch no bruſes being found about her, the Priſoner was acquited.

*Ann Foſter* was Tried for ſtealing of wearing apparel, Lace, Puter, Silver Spoons and other things to a very conſiderable value from a Gentleman, living in the Pariſh of St. *Clements Deans*, on the Twenty-Fourth of *March* laſt, ſeveral of the Goods being found where ſhe had diſpoſed of them; and the Evidence being plain againſt her ſhe was found guilty of the Fellony.

*Randol Polſon*, who had formerly kept a Lime-Wharf near the Horſe-Ferry, was Indicted for ſtealing a Mare, valued at Six Pounds, a Saddle, Bridle and Whip, from one Mr. *Mead*; the Circumſtances according to Evidence thus, the Proſecuter coming from *Dedford*, met the Priſoner and another near the Halph-way-Houſe, who bid him ſtand and deliver; whereupon he turning his Mare about, made up to the adjacent Houſes; but they firing after him, cauſed him to diſmount and ſtand to their Mercy, who took about Seven Shillings in Money, a Pocket-Book, and ſome Ribon from him; and after that his Mare, the which was afterwards found in an Inn in *Weſtminſter*, being brought thither by the Priſoner and a Boy, aud deſcribed to be kept private. So that upon this, and the Priſoners own confeſſion during his Impriſonment in the Gate-houſe, he was found guilty of ſtealing the Mare, *&c.*

*Joſeph Wood-all* was Indicted for Murthering *John Crafts*, of the Pariſh of St. *Martins* in the Fields; according to Evidence thus, the Priſoner being Labourer to the Deceaſed, who was a Brick-layer, and not minding his work, the Deceaſed told him, if he neglected it, he muſt employ another, upon which the Priſoner told him if he would pay him his Wages, he would be gon, but the Deceaſed denying he owed him any; having paſſed his word to ſecure the Houſe where he Lodged; whereupon a quarrel aroſe, and the Priſoner beat the Deceaſed ſo unmercifully, that he died in three Weeks afterward, and laid his Death to the Priſoner, who thereupon was found guilty of Man-ſlaughter.

*Edward Richardſon* who had been formerly Condemned for Cliping and had got Pardon for Tranſportation, was Indicted for ſeveral Roberys on the High-way, to all which he pleaded guilty.

*John*

*John Bully*, who about three Seſſions's ſince was Indicted upon the Statute of the Twenty-fifth of *Elizabeth*, for that he having received Orders from the See of *Rome*, came over into *England* and acted as a Prieſt, whoſe Trial was put off once for his pretending want of Evidence, and laſt Seſſions by reaſon of a ſpecial Plea he brought, to which the Kings Attorny General made a demur, being now called up and his Indictment read; he pleaded guilty deſiring the Court to Pardon him for the trouble he had put them to; ſaying, That he had been ill adviſed in ſo doing, and that it was his full intent after his being cleared at *Lancaſter* to depart the Kindom, and that he had writtent a Book touching the unlawfulneſs of Murthering or depoſing Princes and had perſwaded very many Catholicks to take the Oaths of Allegiance and Supremacie, after which he deſired the Court would have a Favourable Opinion of him, and threw himſelf wholly upon their Mercy.

*Martha Du Boardas*, of the Pariſh of St. *Martins* in the Fields being a *French* Woman, and not able to ſpeak *Engliſh*, was Indicted for Robing *Stephen Beamont* a *French* Marchant, with whom ſhe lived as a Servant or Houſe-keeper, on the Third of this Inſtant, of a Silver Watch, a Diamond Ring valued at Four Pounds, Three Gold Chains, Thirty Guinies, 125 Pounds worth of Plate, & in Moneys 50 *l.*, the which upon the Death of her Maſter, ſhe had conveyed away; the Plate and Moneys upon the Conſtables ſearching the Houſe, being found in her Cuſtody, ſhe aledged that her Maſter gave them to her in his Life time and brought Witneſs to prove it, but notwithſtanding ſhe was found guilty of the Fellony.

*Richard Eaton*, a Seaman was Arraigned for breaking open a Ship that lay in the River of *Thames* over againſt *Waping*, and taking thence Sea-cloaths, Beds, Blankets, Rugs, Shifts, a Piſtol and ſeveral other things belonging to the Captain, and other of the Ships Crue, the which he geting on Shoar, called a Porter to carry them away; but being purſued a great part of the Goods were found, where he had laid them; being asked what he could plead for himſelf, his Anſwer was, That he bought them of a Sea-man; but to producing the Man, nor proving the Buying of them, he was found guilty.

*Sarah*

*Sarah Star* was Indicted for that ſhe on the 4 of this Inſtant Robed one *John Weller*, with whom ſhe was a Servant; of Goods to the value of Fourteen Shillings; being a Servant in his Houſe; the things being Sheets, Table Cloaths and Napkins, which were found at an Old Womans houſe, where ſhe hod carried them to have Shifts made of them; She pleaded a Lodger gave them to her, but that excuſe being groundleſs ſhe was found guilty to the value of Three Shilling.

*John Francis Dickſon*, a notorious *Popiſh* Prieſt being taken in Newgate, as he came to pervert on *Martha Cook* a Convict, his Indictment being grounded upon a Statute made in the Third Year of King *James*, to prevent drawing away the King's Subjects from their Allegiance; the manner thus, *Martha Cook* about Three Quarters of a Year ſince being Condemned for Cliping and Coyning, and remaining in *Newgate*, Two Women that were her fellow Priſoners, perſwaded her to embrace the *Romiſh* Religion, and after ſome yielding to their propoſition; the Priſoner was ſent by the Prieſts into the Preſs-yard to viſit her, who upon promiſe to get her a Pardon, made her renounce the *Proteſtant* Religion gave her the Sacrament, confeſſed her, *&c.* And to encourage her to perſervere in what ſhe had Embraced, oftentimes brought her Money; the which ſhe diſcloſing to on *Partridg* a *Presbyterian* Miniſter, he diſcovered it to the Ordinary, who acquainted Captain *Richardſon* with the ſame; ſo that about the Twenty-firſt of *October* laſt, the Priſoner coming to viſit his Proſelite, was ſeiſed in the Hole, and after ſome time carried before *Sir William Turner*, where he owned himſelf to be a Prieſt; and that he was Chaplain to the *Portugal* Embaſſadour; whereupon he was commited, upon his Trial he likewiſe owned himſelf a Prieſt; and but faintly denied the perverti-on, Mr. Ordinary, Mr. *Partridg*, and *Martha Cook* giving Evidence againſt him, after the Jury were ſatisfied of the Statute, they brought him in guilty, and he was Sentenced to be Drawn, Hang'd and Quartered as a Traitor, *&c.*

An Indictment was preferred by one *William Roman* againſt *Mary Snell* and *Sarah Chapman*, alias *Wood*, for ſtealing a ſilver Taſter and a ſilver Tankard valued at ſeven pounds, which the former coming into his houſe to drink Sole, and the other diſpoſed of them, but the Evidence not being poſitive againſt her, only *Mary Snell* was found Guilty of this Fellony. But a ſecond Indictment was preferred againſt *Sarah Chapman*, alias *Wood*, for ſtealing 6 Corrals, vallued at 7 pounds, from one Mr. *Harding* in the Pariſh of St. *Mary Woolnoth*, the which ſhe ſold for about three pounds to a Goldſmith in *Fleetſtreet*, which being plain proved, ſhe was found Guilty.

*Suſannah Hern* and *Elizabeth Rycroft*, were found Guilty, the former for ſtealing a ſilver Tankard, the latter for Robing her Maſter of Linnen Cloth.

There were 2 Men and 8 Women received Sentence of Death, viz. *Randolph Poulſon* for Stealing a Ware and other things on the High-way, *John Francis Dickſon* for High-Treaſon, *Ann Price* for Murdering her Baſtard-Child, *Martha Beardos*, *Suſannah Hern*, *Sarah Chapman*, *Elizabeth Rycroft* and *Mary Snell* for Fellonies and Burglaries. 9 Burn'd in the hand, 1 to be Tranſported, and 3 to be whipt.

*LONDON*, Printed by *D. Mallet.* 1681.

K England. Lords, House of

# THE PROTESTATION OF THE LORDS

375. l. 2.
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Upon rejecting the *Impeachment* of Mr. *Fitz-Harris*. *March* 28. 1681.

BEcauſe that in all Ages it hath been an *Undoubted Right* of the *Commons*, to impeach before the *Lords*, any Subject, for *Treaſons*, or any Crime whatſoever; and the reaſon is, becauſe great Offences that Influence the *Parliament*, are moſt effectually determined in *Parliament*.

We cannot reject the Impeachment of the Commons, becauſe that Suit or Complaint can be determined no where elſe: For, if the Party Impeached ſhould be Indited in the *King's Bench*, or in any other Court, for the ſame Offence, yet it is not the ſame Suit; for an *Impeachment* is at the Suit of the *People*, and they have an Intereſt in it, but an *Inditement* is at the Suit of the *King*: For, one and the ſame Offence may intitle ſeveral Perſons to ſeveral Suits; as, if a Murder be committed, the King may indite at his Suit, and the Heir, or the Wife of the Party murdered may bring an * Appeal; and the King cannot releaſe that Appeal, nor his Inditement prevent the Proceedings in the Appeal; becauſe the Appeal is the Suit of the Party, and he hath an Intereſt in it.

* *Which is alwayes to be preferred, and upon notice thereof, all Proſecutions at the Suit of the King is to ſtop, till the Proſecution at the Suit of the Party be determined.*

It is, as we conceive, an *abſolute Denial of Juſtice*, in regard, as it is ſaid before, the ſame Suit cannot be tryed any where elſe. The Houſe of *Peers*, as to *Impeachments*, proceed by virtue of their *Judicial Power*, and not by their *Legiſlative*; and as to that, act as a *Court of Record*, and can deny Suitors (eſpecially the *Commons of England*, that bring *Legal Complaint* before them) no more than the Juſtices of *Weſtminſter-Hall*, or other Courts can deny any *Suit* or *Criminal Cauſe*, that is regularly commenced before them.

Our Law ſaith, in the Perſon of the King, *Nulli negabimus Juſtitiam*, we will deny Juſtice to no ſingle Perſon; yet here, as we apprehend, Juſtice is denied to the whole Body of the People; this may be interpreted, an Exerciſing of *Arbitrary Power*, and will, as we fear, have Influence upon the Conſtitution of the *Engliſh Government*, and be an Incouragement to all inferiour Courts, to exerciſe the ſame *Arbitrary Power*, by denying the Preſentments of *Grand Juries*, &c. for which, at this time, the *Chief Juſtice* ſtands impeached in the *Houſe of Peers*.

Theſe Proceedings may miſrepreſent the *Houſe of Peers* to the King and People, eſpecially, at this time; and the more, in the particular Caſe of *Edward Fitz-Harris*, who is publickly known to be concerned in vile and horrid Treaſons againſt his Majeſty, and a great Conſpirator in the *Popiſh Plot*, to murder the *King*, and deſtroy and ſubvert the *Proteſtant Religion*.

*Monmouth*
*Kent*
*Huntington*
*Bedford*
*Salisbury*
*Clare*
*Stamford*
*Sunderland*
*Eſſex*
*Shaftsbury*
*Macklesfield*
*Mordant*
*Wharton*
*Paget*
*Grey of Wark*
*Herbert of Cherbury*
*Cornwallis*
*Lovelace*
*Crew*

*LONDON*, Printed for *Francis Smith*, at the *Elephant* and *Caſtle* in *Cornhill*. M DC LXXXI.

515. L. 2.
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*An Account of Some Particulars*

IN THE

# TRYAL

OF

# Mr. Ed. Fitz Harris:

In *Weſtminſter-Hall*, *June* 9. 1681. Where he was Found Guilty of HIGH-TREASON.

Together with a Brief RELATION of the TRYAL of

# Oliver Plunket

*The Popiſh* Primate *of* IRELAND, *at the ſame Place, the day before: who was likewiſe found Guilty of* HIGH-TREASON.

THIS morning about Nine a Clock the Court ſate, there being the four Judges of His Majeſties Court of *Kings-Bench* preſent, and the Jury being impanell'd and Sworn, Mr. *Fitz-Harris* was ſoon after brought thither, and his Wife being in the Court, deſired the favour to ſtand nigh her Husband, which was granted her: Then an Indictment of High-Treaſon was read againſt Mr. *Fitz-Harris*, for conſpiring the Death of the King, and the over-throw of the Government, and ſtirring up His Majeſties Subjects to Sedition and Rebellion, by contriving and publiſhing a Dangerous and Treaſonable Libel.

Then the Witneſſes were called, and Mr. *Edmund Everard* being firſt, gave a large and full Account of this Treaſonable Deſign of Mr. *Fitz-Harris*, with ſeveral very conſiderable Circumſtances, to demonſtrate the reality of his Teſtimony.

Then Mr. *John Smith*, one of the Diſcoverers of the late horrid *Popiſh Plot*, was called, who confirmed what Mr. *Everard* had ſaid, giving an Account how by Mr. *Everard*'s means he was placed in a convenient Room, where he and Sir *William Waller* heard Mr *Fitz-Harris* endeavour to perſwade Mr. *Everard* to engage in ſeveral Treaſonable Practices, and that a notorious Libel ſhould be diſperſed abroad, to raiſe a diſturbance between the King and his People.

Sir *William Waller* was next called, and ſpake ſeveral things to the ſame purpoſe, and it did appear, That this Libel was to be diſpoſed among His Majeſties Proteſtant Subjects, that it might ſeem they intended to diſturb the Government, and that theſe Papers being ſent to them, ſoon after other Perſons ſhould have followed to have ſearched them, and before they had had time to diſcover them to a Magiſtrate, ſhould have ſeized thoſe Libels about them, and that theſe Gentlemen were to have been proſecuted as Authors or Diſperſers of Treaſonable Libels againſt His Majeſty and the Government.

Sir *Philip Lloyd* was likewiſe called into Court, and two or three other.

The Kings Witneſſes having concluded their Evidence, and the Libel being read over in Court, and compared, and ſeveral Paragraphs of a very high and Treaſonable nature, which, were inſerted into the Indictment, being remarkt; The Court were pleaſed to tell Mr. *Fitz-Harris*, That he had now Liberty to make the beſt Defence for himſelf, he could, and that he might have ſuch Witneſſes called as he deſired; whether

thereupon nominated firſt Dr. *Oates*, who accordingly appeared, and declared what he had to ſay, but not upon Oath no more than the reſt, ſince it is not allowable in behalf the Priſoner; Then Madam *Wall*, who belongs to the Dutcheſs of *Portſmouth* was called, and Mr. *Fitz-Harris* asked her ſeveral queſtions about Two Hundred pound which he had received by Order from the Dutcheſs, Mrs. *Wall* ſaid, That if the Court deſired it, the Dutcheſs her ſelf would come thither, who thereupon Ordered, That ſhe ſhould appear, which ſhe did accordingly, in a very ſhort time; and it was alledged that the money given, was only upon the Account of Charity, and toward the relief of his Neceſſities. his Father having ſuffered very much in his Eſtate in the late Wars.

Collonel *Manſell*, Mr. Sherriff *Bethel*, Mr. Sherriff *Cornish*, and divers others were likewiſe called into Court, and Mr. *Fitz-Harris* asked them ſeveral Queſtions.

The Lord *Howard* of *Eſcrick*, was then called into Court, who ſpoke very largely to ſeveral things, and gave an Account that Mr. *Fitz Harris* had been with him divers times, and perſwaded him to come to Court, and that particularly Mr. *Fitz-Harris* came to him the day before the late Lord Viſcount *Stafford* received his Sentence, and perſwaded him to give in his Opinion *That the Lord* Stafford *was Not Guilty*, which he told him would be very acceptable; But the Lord *Howard* was pleaſed to anſwer him to this purpoſe; *That if the neareſt Friend or Relation he had were ſo Guilty of* High-Treaſon *as he judged the Lord* Stafford *to be, no man ſhould be more forward to bring him to Juſtice than himſelf.*

Then Mr. *Fitz-Harris* added ſome other things in his own Defence, which being ended, Mr. *Attorney* General firſt, and then Sir *George Jeffries* ſummed up the Evidence, ſhewing the notorjouſneſs of the Treaſon whereof he was Guilty, and what a World of Miſeries theſe Practices might produce to the Nation, &c. After which the Judges particularly gave their ſence of the Heinouſneſs of the Crime; and that the Jury ſhould take ſpecial Care, that the Blood of the King and Kingdom ſhould not fall upon their Heads.

The Foreman of the Jury, then deſired, as we hear, to be informed by the Court whether they could ſafely give their Verdict in the Caſe of Mr. *Fitz-Harris*, ſince the late Houſe of Commons at *Oxford*, had paſſed a Vote, that he ought not to be Tryed, but before the Houſe of Peers in Parliament? The Court told them, they ought to take no Notice thereof, and that now they were by Oath obliged to determine the buſineſs before them, and that they ſhould have made this Objection before; And one of the Judges was pleaſed to ſay, That a Vote of the Commons had no more Obligation upon them then a Letter from the King, which they were not bound to take any notice of.

The Jury then Withdrew, and after about half an hours Conſultation among themſelves, they returned into Court, and being demanded whether they were agreed in their Verdict, they Anſwered, *Yes*; and that the Priſoner was Guilty of High-Treaſon.

The Court then broke up, and Mr. *Fitz-Harris*, accompanied with his Wife, who was Extreamly concerned at her hard Fate, was Guarded back to the *Tower* by Water, and it is thought, will in a day or two receive his Sentence at the ſame place: together with *Oliver Plunckett* the Popiſh Lord Primate of *Ireland*, who was Tryed there the day before for High Treaſon, in Conſpiring the Death of the King, Introducing Popery, and delivering the Kingdom of *Ireland* to the *French* King, to which purpoſe he had received and paid ſeveral ſums of Money, and was to raiſe many Thouſands of *Iriſh*, who were to joyn with the *French* King, upon his Landing, and that an Haven was appointed to that purpoſe; There were five or ſix Witneſſes againſt him, who proved the Treaſon poſitively upon him, and though he had all the liberty he could deſire to make his Defence, yet he had very little to ſay for himſelf, only he pretended that thoſe Witneſſes which he deſigned ſhoudl appear on his behalf were in *Ireland*.

But this Allegation was thought altogether Frivolous, by reaſon he has had ſo long time ſince he has been in *Newgate* to ſend for them over; ſo that upon the whole matter, after a very ſhort Conſultation, the Jury brought him in Guilty of *High Treaſon*.

*LONDON*, *Printed for* Langley Curtiſs, *on* Ludgate-Hill. 1681.

THE LAST

# SPEECH and CONFESSION

OF

# Oliver Plunket

*Titular* Primate *of* Ireland, *with an Account of his Behavior in* Newgate, *since his* Condemnation.

And also of

# Edw. Fitz Harris:

## At their EXECUTION at TYBURN, upon *Fryday July* 1. 1681.

For HIGH-TREASON, in Conspiring the Death of the *KING*, &c.

FRyday the first of *July* being appointed by his Majesties Warrant for the Execution of *Oliver Plunckett* and *Edward Fitz-Harris*, they had some days notice given them thereof, in order to prepare themselves for Eternity; during which time several persons of Quality came to visit them, and Discourted them concerning the Horrid Crimes whereof they were found Guilty, to whom Mr. *Plunckett*, (according to the *Popish Mode*) denied his being any way concerned or Guilty of the matters Charged against him, insisting much upon his not having his Witnesses ready to Vindicate his Innocency; yet owning he had received divers Summs of Money, which he alleadged, were given him for the Relief of the Inferior Clergy, which he, as their Bishop, distributed among them, repeating likewise many of those things which he urged at his Tryal, but especially at his Condemnation, and particularly his being Tryed in this Country, for Facts said to be committed in *Ireland*; adding, That if he had been Tryed there, he did not question but he should have been cleared. But however he said, His Soul was now so well prepared for another World, that he did not desire to continue any longer in this, since he doubted whether ever he should attain to the same Temper of Mind again, and (contrary to the usual Roman Uncharitableness) desired all good Christians to pray for him.

Last Night about 5 a Clock, Mr. *Plunckett* desired Captain *Richardson* that he might retire himself to his private Devotion, and that no person what soever might be permitted to disturb him, nor to come to him till Morning, which was accordingly done, and we hear, That some of his Freinds told him, They had begged his Body.

Between Nine and Ten a Clock this Morning the Sheriffs of *London*, attended by Captain *Richardson*, went to *Tower Hill*, and there received the Body of *Edward Fitz-Harris* from the Lieutenant of the *Tower*, who being put into a Sled, prepared for that purpose, was drawn from thence through *Cornhil* and *Cheapside* to *Newgate*, where *Oliver Plunckett* being also put into a Sled, they were both drawn from thence to *Tyburn*, there being a multitude of Spectators all the way as they passed. Mr. *Plunket* came first to *Tyburn*, and as soon as he was taken out of the Sled, and put into the Cart, he Crossed himself thrice upon the Brest, and then delivered a paper to the Sheriff, which he desired might be published; he then asked, Whether he might have liberty to speak, and it was told him he might, and the Executioner having fitted the Rope to his Neck; He began with very solemn Protestations to declare, That he was sensible he was now going to appear before the Just Judge of Heaven and Earth, and that, if he did not now speak the Truth, he should be Damned to all Eternity; and then he proceeded to declare what he was accused of, which he divided into five or six particulars, and then he repeated the same Protestations which he had formerly used, denying his having any manner of Correspondency with the *French King* or his Confessor, and alleading the Impossibility of Landing an Army of Seaventy Thousand men in that place, which the Witnesses Swore to,

and

and likewiſe of the Improbability of their maintaining them, who could hardly keep Cloths to their backs, and were not all able to provide for half a Regiment.

He ſaid, That he had been accuſed in *Ireland* and cleared, and that he was now Tryed here, where the Jury could take no Cognizance of the likelyhood or improbability of the matter; and that he had endeavoured to reform ſome irregularities of the Clergy in that Kingdom, which had occaſioned much hatred againſt him; and then, becauſe the old Proteſtation, *That he was as Innocent as the Child unborn*, is now grown Threadbare, He ſaid, *That as he hoped for Salvation, he was altogether Innocent of any thing whatſoever, which was charged againſt him*; which he ſaid he affirmed to be abſolutely true, according to the common and uſual meaning of ſuch words among Proteſtants, without any manner of Equivocation or Mental Reſervation whatſoever, Aſſerting, That he did not believe that any man or power upon Earth whatſoever could diſpenſe with Lying at ſuch a time as that: He then prayed, That it would pleaſe God to bleſs His Majeſty, the Queen, the Duke of *York*, and all the Royal Family, and concluded with forgiving all the World, and deſiring pardon of all thoſe whom he had offended, and then recommended his Soul to the mercy of God, through the merits of Jeſus Chriſt our Saviour, and the Bleſſed Virgin *Mary*, Declaring, That he dyed a *Roman* Catholick, which Religion he had long continued in, and was reſolved to Die in: After which he pulled his Cap over his Eyes, and continued in his private Devotions above half an hour.

During which time Mr. *Edward Fitz-Harris* was brought thither, and as ſoon as he came under the Gallows, Dr. *Hawkins*, Miniſter of the *Tower* of *London*, ſtept into the Sledg to him, and kneeling down, diſcourſed privately with him for ſome time; Then Mr. *Fitz-Harris* was put into the Cart, and the Doctor coming up to him, Mr. Sheriff aſked Mr. *Fitz Harris* if he had any thing to ſay, who anſwered, He had delivered two Papers to Dr. *Hawkins*, upon which, the Doctor produced one of them, and delivered it to Mr. *Fitz-Harris*, deſiring him to read it, which he accordingly did, it being an half ſheet of Paper on one ſide, wherein he did deny he was any ways concerned in the Libel for which he ſuffered, any farther than the diſcovering to his Majeſty the Deſigns and Practiſes of ſome perſons, reflecting likewiſe upon Sir *William Waller*, and the other Witneſſes, and ſome other perſons who had fail'd him at his Tryal.

Mr. Sherriff then deſired him to Confeſs what he knew, and if poſſible to prevent the ſhedding of Innocent Blood, reminding him what he had ſaid when he was in *Newgate*, That he knew more of the Popiſh Plot than any other; But Mr. *Fitz-Harris* ſaid, He had left his Mind with Dr. *Hawkins*: Then Mr. Sherriff deſired to know, Whether he died a Proteſtant or a Papiſt? and Dr. *Martin* of St. *Mary Overys* enforced the ſame, asking him, How it ſtood between God and his Soul, and wiſhing him to declare, Whether he dyed in the Communion of the Church of *England*, or a *Roman Catholick*, telling him, That he needed not to be aſhamed of dying a Proteſtant: but he ſtill evaded to give any Anſwer, referring all to what he had given Dr. *Hawkins*, and that he had no more to ſay: The Sherriffs then deſired Dr. *Hawkins* to deliver them the Papers, the Dr. reply'd, That they ſhould have a Coppy of that which Mr. *Fitz-Harris* had read, but for the other Papers, he ſhould deliver it only to thoſe whom it properly concerned, or to that purpoſe. Then Mr. *Fitz-Harris* asked the Sheriffs, Whether they had not an Order concerning his Body, that it ſhould not be Broken (as he called it) or quartered, whereupon, Mr. Sheriff *Corniſh* read the Order to him, which was, That after Execution, according to the Sentence, was done upon him, his Head and Quarters ſhould be delivered to his Wife, *Mrs. Ann Fitz Harris*: He ſaid, He thought he ſhould not have been Quartered; Then Dr. *Hawkins* Kneeled down with him in the Cart, and prayed, or diſcourſed privately with him, and the Doctor going out of the Cart, prayed God to have Mercy on his Soul.

Mr. *Fitz-Harris* then pulled his Cap over his Eyes, and prayed to himſelf, and then put his Cap up again, and deſired Dr. *Hawkins* to take care of his Body, to which the Doctor Anſwered, *It was a very unbecoming Employment for him, and that others were appointed for that purpoſe*: The Doctor likewiſe declaring, That he deſired the Prayers of all there preſent, which Mr. *Fitz-Harris* hearing pulled up his Cap again, and ſaid, *I deſire all your Prayers for an happy Paſſage*; and in a ſhort time after the Cart being drawn away, they were both turned off: Mr. *Plunket* was Dead in a ſhort time, but Mr. *Fitz-Harris*, by ſtaggering in the Cart, brought the Nooſe juſt behind the Pole of his Neck, ſo that he was ſomwhat longer a Dying. After they had Hanged a conſiderable time, they were both Beheaded and Quartered, and their Quarters delivered to their Friends, according to the afore-mentioned Order.

London, *Printed for* Langley Curtiſs, *on* Ludgate-Hill.

*A true Copy of the dying Words of Mr.* Stephen Colledge, *left in Writing under his own hand, and confirmed by him at the time of Execution,* August 21, 1681, *at* Oxford.

*Publiſhed by his own Relations.*

515. L. 2
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MY Innocency in all and every part of the Treaſons which was ſo deſperately, maliciouſly, and falſely ſworn againſt me, by thoſe wretched and mercinary Men, *Dugdale*, *Turbervil*, *Smith*, and *Hains*; for I profeſs, as in the preſence of the Living God, I am ſo far from being guilty of what they ſwore againſt me, that to the beſt of my knowledge, I never ſpoke ſo much as one ſingle word of thoſe Treaſons, to them, or either of them in my Life, or ever heard them ſpoke, till they themſelves ſwore them againſt me in the Court; and do take it upon my Death, I never was engaged in any manner of Plot or Conſpiracy whatſoever in my Life, againſt the Kings Perſon, Laws, or Government, or know of any that is or was, the Papiſts only excepted: And had it been true, as it is utterly falſe, that I were to have ſeized the King, either at *White-Hall*, or at *Oxon*, (for my Enemies firſt ſwore it at *White-Hall*, and afterwards at *Oxon*, when the Bill was found *Ignoramus* at *London*, which I deſire may be obſerved, *Turbervil* being brought in for that purpoſe,) I do here ſolemnly declare, I knew not of ſo much as one ſingle Perſon on Gods Earth, that was or would have ſtood by me in that Attempt. And how likely I was to have done it my ſelf, or that I ſhould have truſted ſuch profligated and neceſſitous wretches as Papiſts, Prieſts, and *Iriſh-men*, no way able to aſſiſt me; and thoſe that had diſcovered the Treaſons of their own Party, in which they were engaged (if they have ſworn truth,) notwithſtanding they were obliged under the ſevereſt Oaths of Secrecy, and pains of Damnation, and had broke them, where could be my hopes they would conceal mine, had I truſted them, being a Proteſtant, and deteſting all ſuch Doctrine which obliged men to conceal Treaſons, and cut the Throats of Innocents? I ſay, all this conſidered, let all men of common ſence, or honeſty be my Judges. As to what Mr. *Maſters* ſwore, he was unjuſt to me, in omitting the material part of our diſcourſe concerning the Parliament in Forty; for when he curſt them and the laſt Parliament at *Weſtminſter* alſo, and ſaid they were alike, and charged them in Forty with beginning the War, and cutting off the Kings Head, I denied both, and ſaid it was the Papiſts that begun that War, and the Death of the King was the fatal conſequence of it; which Mr. *Charleton* the Draper in *Pauls* Church-yard can teſtify, the diſcourſe being at the farther end of his Shop, and he preſent; into which *Maſters* ſeeing me go in, came apace from towards his own Shop, and as I believe on purpoſe to quarrel with me, for which God forgive him; he alſo well knows he had often in deriſion called me Collonel before that in *Guild-Hall*, and I made him ſome ſuch anſwer accordingly: Sir *William Jennings* alſo did me wrong, for he ſwore falſe both as to the words and place, for I do not remember I ſaw him in the Court at all; but in the Coffee-houſe; my words were, I had loſt the firſt blood for the Parliament, I wiſh it be the laſt. I am confident that was my words; but its a wonder he miſtook me no more, ſince he is of *W*—— *C*—— *D*—— and *S*—— &c. Club, at the *Feathers* Tavern by *Fleet-Bridge*; and Mr. *C*—— the Coffee-man himſelf told me, who alſo kept them company at that place but the *Wedneſday* Night before I was taken.

As to the Printed Papers which *Dugdale* produced in the Court, I do declare I never ſaw them, called the *Raree Show* and *Intercepted Letter*, in his hand before that time, and therefore could not, and did not decypher any of the Pictures to him, it's utterly falſe. I was not the Author of thoſe Verſes called the *Raree Show*, neither do I know who was, or the Printer; or ever owned my ſelf the Author of either of them Papers to him in my Life. I am reported to be a Papiſt, I declare I was bred a Proteſtant, ſuch have I lived, and ſuch I dye. I never ſaw or heard,

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or was at any of their Devotions or Worſhip, except once at St. *Jameſes*, about 17 or 18 years ſince, though about that time, and ſince, before the Plot was diſcovered, I worked for ſeveral of them at their Houſes.

It's reported I ſhould be the occaſion of perverting the Lady *Rocheſter*, and brought a Prieſt to her, one *Tomſon*, *alias*, *Conyers*; I deny it, all I did was at the requeſt of the Earl of *Rocheſter*, who gave me a Letter to deliver to him, which I did; but knew not the Contents, neither did that Lady report any ſuch thing of me at her Death; I'ts ſaid I harboured Prieſts and Jeſuits, and they inſtance in one *Serjeant* who lay at my Houſe in *Carter-Lane*, Nine years ſince, by the name of Dr. *Smith*, a Dr. of Phyſick, brought to me by one *Monleſſe* an Apothecary in the *Old Baily*, and one Mr. *Feild* a Woollen Draper within *Ludgate*, and was there as a Dr. of Phyſick, and I knew for no other.

It's ſaid falſly alſo, I Married my Wifes own Mother, which is notorious falſe. There be ſome other Scandalous and Malicious Reports thrown upon me, as that I ſhould own all that was ſworn againſt me, except *Haines* Evidence, and the like, to all which I have been Examined by Dr. *Marſhal*, whom the Biſhop of *Oxon* did voluntarily ſend to me the day after I was Condemned, and that Worthy and Pious Dr. *Hall* who came to me, and from whom I received the Bleſſed Sacrament on *Sunday* laſt, to whom I did make the ſame Confeſſion and acknowledgement as I have here Inserted; particularly the which I do again affirm is truth as I ſhall Anſwer it to God Almighty, only I did acknowledge as my fault, I did believe I might have been Guilty on ſome occaſions, and in heat of talk, to have uttered ſome words of Indecency, not becoming my duty, concerning the King or his Council, and if ſo I do beg their Pardon; I further declare that Secretary *Jenkins*, Lord *Killingsworth*, and Mr. *Seymer*, when they Committed me, Interrogated me to many things, that I ſhould be Privy to againſt the King, Mr. *Seymer* ſaying I did know the Lord *Shaftſbury*, Lord *Howard*, Mr. *Fergiſon* were ingaged alſo; to all which I anſwered, were it to ſave my Life I could not accuſe a man of them, or any other Perſon whatſoever: This day alſo, *Tueſday* the 23 of *Auguſt*, the Meſſenger who brought me a Meſſage of my Death, told me I might ſave my Life, would I confeſs who was the cauſe of my coming to *Oxon*, and upon what Account. I Anſwered him, I was glad the Confeſſing the truth of that would do it, and ſaid, I came voluntarily of my ſelf, I rode my own Horſe, ſpent my own Money, and neither was invited or had dependency upon any Perſon whatſoever; and had only one Caſe of Piſtols and my Sword, and had the Papiſts, or their Party, offered to have deſtroyed the Parliament, as was ſworn and feared they would, I was there to have lived and dyed with them. And I thought in this I had ſerved the King alſo. But when I had ſaid this (although the very truth) I found it was not that he wanted, and ſo with a Curſe he left me. To what I have ſaid, I ſhall only add, for my time is ſhort and precious, that what I have here declared is the very truth of my Caſe, which I ſhall by the help of my God Confirm with my laſt Breath, and Seal with my deareſt Blood. I dye by the hands of the Enemies of the Great God, his Chriſt, his Servants, his Goſpel, and my Country, to which I willingly ſubmit, and earneſtly pray mine may be the laſt Proteſtants Blood that Murdering Church of *Rome* may ſhed in Chriſtendom; And that my Death may be a far greater blow to their bloody Cauſe, than I either have or could have been by my Life. The Lord God Almighty, ſave *England* from Popery and Slavery, Bleſs the City of *London*, and Unite all good Proteſtants in the Nation, from one End of the Land to the other. *Amen. Amen.*

About 12 of the Clock at Noon he was Executed, and his Head and Quarters (through his Majeſties Grace) delivered to his Relations, and by them brought up to *London*, to be privately interred at their diſcretion.

*LONDON*, Printed for *Edith Colledge*, 1681.

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K. Fitz-Harris

# The Confeſſion of *Edward Fitz-Harys* Eſq; Written with his own Hand, and delivered to Dr. *Hawkins* Miniſter of the *Tower*, *July* 1. 1681. being the day of his Execution: Together with his laſt Speech.

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I Edward Fitzharys, *having been Indicted of High Treaſon, for endeavouring to dethrone the KING, was thereupon found Guilty, and Sentence of Death paſſed upon me. I the aforeſaid* Edward Fitz Harys *do voluntarily and freely, without any hopes to ſave my Life but as a Dying Man, and to diſcharge my Conſcience towards God, and for the better ſatisfaction of the World, make this Declaration following, in the preſence of God, and unto Doctor* Francis Hawkins, *Chaplain of the* Tower *of* London.

*I do profeſs and declare my Religion in the general to be that which hath been truly and anciently delivered in the firſt Four General Councils; and in particular, my Belief is that true Faith of a Chriſtian briefly contained in thoſe Three Creeds commonly called* The Apoſtles Creed, St. Athanaſius's, *and* the Nicene Creeds: *And I die a Member, and in the Communion of* Chriſt's *Holy Catholick Church, hoping for Mercy through the alone Merits of the Paſſion of our Lord and Saviour* Jeſus Chriſt.

*I do alſo confeſs and declare, as to the Crimes which I die for, I was no further concerned in the Libel, than as employed to give the King notice of what Libels or other Accuſations there were againſt him; and to this Intent, and no other, I endeavoured to get this Libel: which at length I did from Mr.* Everard, *all written under his own Hand, and carried it to Mrs.* Wall, *by whoſe means I conveyed all Matters of this or the like nature to the King. I told her I had a Buſineſs of great conſequence to acquaint the King with: But ſhe anſwer'd me, That my Lord* Sunderland *being out, there would be no Money had for Secret Service, and adviſed me to go to the Lord* Clarendon or Hyde: *But before I could do this, I was taken. As for that part of the Libel which I left with* Everard, *as a Pledge to aſſure him I would not betray him, I received it of the Lord* Howard: *And the Money I received from the King, was for bringing a Libel called* The King Unvail'd, *and the* Lady Portſmouths Articles. *I call God to witneſs, I never had a Farthing Charity from the King.*

*I do further confeſs and declare, That the Lord* Howard *told me of a Deſign to ſeize upon the King's Perſon, and to carry him into the City, and there detain him till he had condeſcended to their Deſires.* Heyns *and my ſelf were privy to this Deſign, and had ſeveral Meetings with the Lord* Howard; *and as an Encouragement, the Lord* Howard *aſſured us of breaking the Settlement of* Ireland, *taking off the Additional Revenue of the Biſhops, Forty nine Men, and Grantees, whoſe Eſtates were to be ſhar'd amongſt the Party.*

*I do confeſs and declare, That while I was in* Newgate, *the Sheriffs* Bethel *and* Corniſh, *came to me, with a Token from the Lord* Howard, *which I knew to be true, and brought Heads with them from* Everard, *wherein he accuſed me of being a Court-Emiſſary, or* Yorkiſt, *put on by the King to put the Libel into Proteſtants Houſes, to trepan them. But I declare upon my death I had no ſuch intent, nor do I know any ſuch thing. The Sheriffs likewiſe told me, I was to be tryed within three or four Days, that the People would proſecute me, and the Parliament would Impeach me, and that nothing would ſave my Life but diſcovering the Popiſh Plot; and then the Sheriffs aforeſaid gave me great Encouragement from my Lord* Howard, *that if I would declare that I believed ſo much of the Plot as amounted to the introducing the R. C. or if I could find out any that could Criminate the Queen, R. H. or make ſo much as a plauſible Story to confirm the Plot, that the Parliament would reſtore me to my Fathers Eſtate, with the Profits thereof ſince His Majeſties Reſtauration. I finding my ſelf in the condition I was, in* Newgate, *Fetter'd, Moneyleſs and Friendleſs, my Wife ready to Lye-in, without any ſubſiſtence, my Children in a miſerable condition, and muſt needs be in a worſe by my death, and I could ſee no other Refuge for life, but complying with them; ſo, not with ambitious intent but to ſave my life I did comply. The Sheriffs brought Inſtructions, which they ſaid came from the Lords and Commons, who met that day in order to Addreſs to the King in my behalf (if I ſhould confirm the Inſtructions;) and they made uſe of the Lord* Shaftsbury's *Name, and others, what Advantage I might have thereby. At the firſt I made a formal Story concerning the Plot, which was not prejudicial to any body, but moſt relating to general Heads known publickly; upon which Mr.* Corniſh *told me, Theſe were things cryed about the Streets two years ago: I replyed, I could ſay no more. Mr. Sheriff ſaid, he was ſorry for me with all his heart, but thought I could ſay more if I would, and preſſed me hard to ſpeak to ſeveral Heads, unto which unleſs I ſpoke, he ſaid, there was no hopes of life; the Heads I was to ſpeak to, is what the Examination taken by Sir* Rob. Clayton *&* Sir George Treby *contains, and a great deal more than I did not ſay then, relating to the Queen, R. H. Earl of* Danby, *declaring* French *Penſioners, Lords* Hallifax, Hyde, Clarendon, Feverſham, Seymer, *and others; the burning the Fleet, Forts and Governments in Popiſh hands, Meal-Tub-Plot, Prentices Plot, the Contrivance of the Libel on the Lady* Portſmouth, *being a*

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French *Deſign to deſtroy Proteſtants. Theſe and many other Heads were brought to me by the Sheriffs.*

*I do further confeſs and declare, That* Sir Robert Clayton *and* Sir George Treby *coming to me to examine me,* Sir Robert Clayton *aſked me* what I could ſay concerning *Godfrey's* Murder? I *anſwered, Something. He replied,* It may be I was in a Confuſion; recollect your ſelf. *And what I ſaid concerning Father Patrick, was forced out of me, and what I ſaid concerning him is not true.* Sir George Treby *was with me three hours, or thereabouts, and preſſed to ſay concerning* Godfrey's *Death: And ſaid,* Unleſs I could ſpeak to that Murder, I could ſay nothing; *Whereupon, I ſaid ſomething I had from others. He aſked me* if I could ſay no more? *I replied, Is not this enough to ſave my Life? Am I not Rogue enough? The Recorder hereupon ſwore* 'Zounds, what were you ever but a Rogue? *Then the Recorder entred upon the Heads of the Examination; which being done, he told me,* All this would not ſave my Life, unleſs I would ſpeak to the *Libel,* which was a Court-trick; And it was not for nothing that I had been ſeen ſo often at the Lady *Portſmouth's. The Lord* Shaftsbury *ſaid,* You know more of theſe matters than any man. *Sir* George *would have me ſpeak to the Conſult; that the* Duke *was at it, the Lords* Belaſis Arundel *and* Powis *were at it,* You have ſeen them go to it at St. *James's*; without doubt they were there; Do you but ſay it, we have thoſe that will ſwear it.

*I do further declare and confeſs, That what I ſaid againſt the Queen and the Duke, I was put upon, in the matter of Sir* Edmundbury Godfrey's *Murder; And do further declare, That what I ſwore againſt the Earl of* Danby; *the threatning words that were uttered I did (to the beſt of my remembrance) hear, but whom they concern'd I could not well know, by what my Lord himſelf ſaid. And what de* Puis *told me concerning my Lord of* Danby, *I do believe was ſpoken out of ill will; And what I ſaid againſt him, was to ſtave off my Tryal till a Parliament; and they were the more deſirous to accuſe the Lord* Danby *of* Godfrey's *Murder, becauſe the Crime of Murder is not incerted in his Pardon. I am ſorry for what I ſaid againſt the Queen, his Royal Highneſs, and the Earl of* Danby; *I deſire God to forgive me the wrong I did them, and do heartily beg their Pardon.*

*I do further declare and proteſt, That this Confeſſion and Declaration of mine I own ſincerely, as a dying man, and not to ſave my Life; And I call God and all his Angels to witneſs the Truth of it; And I renounce Mercy at the Hands of God Almighty, if this be not true.*

*And I do further declare and proteſt, as a dying man, unto* James Walmeſly, Edward Pattel *and* Mary Walmeſly, *That I have made this Confeſſion and Declaration unto Dr.* Hawkins, *freely, and of my own voluntary accord without any manner of promiſe made, or hopes given me by him from the King of ſaving my Life by this Confeſſion; I having given him to underſtand beforehand they were matters of Conſequence, and ſuch as chiefly concerned the good of the King and Kingdom.*

*I give the Doctor my hearty Thanks for all his Prayers, Counſel and Charitable Offices he hath done me, and I pray God to bleſs him for ever for it. I forgive all the World, and deſire all the World to forgive me; And the Lord have mercy on my Soul.* Edward Fitz-Harys.

This Proteſtation was made by *Mr. Fitz-Harys, July* 1. between the hours of 7 and 8 in the morning, in the preſence and hearing of us whoſe Names are hereunder-written.

*James Walmeſly.*
*Edward Pattel.*
*Mary Walmeſly.*

I Do hereby declare, That *Mr. Fitz-Harys,* before he began to write any part of this Narrative, was, more than once, aſſured by me that there was no hope of his life, that I know of, whatever he ſhould ſay; nor of his Salvation, if he ſhould ſay any thing that he knew to be falſe: of which he being throughly ſenſible, and perfectly convinced, proceeded to write the Narrative aforeſaid. And I continuing to admoniſh him upon every point that was material, not to ſay any thing but what was exactly true, he took occaſion, at ſeveral periods of his Narrative, to kneel down, and ſolemnly to Proteſt the Truth of every word therein contained. And this I again declare upon the Faith of a Chriſtian, and the word of a Miniſter of the Goſpel. *Francis Hawkins.*

*Mr.* Fitz-Harys's *Speech at his Execution.*

GOod People, This Infamous kind of Death is much more irkſom to me, than Death it ſelf: Such a Judgment as this my Sins againſt God may juſtly bring upon me, and I do moſt humbly ſubmit unto it. But as to the Crimes which I now die for, I take God to witneſs, I was no further concerned in the Libel, than to diſcover to the King what Practices of that kind were againſt him, being employed for that end, though thoſe that employed me refuſed to do me Juſtice at my Tryal. And I call God to Witneſs, I never had a Farthing of Mony of the King in my life, but on the account of the like Service. And as to the Witneſſes that have Sworn againſt me, I do here ſolemnly declare, now at my Death, that I have not ſeen the *French* Ambaſſador ſince the beginning of the breaking out of the Plot, neither have I had any acquaintance with him: And as to his Confeſſor, I never ſpoke with him in my life; neither have I had any dealing, either directly or indirectly, in my life with them, though Sir *William Waller* and the reſt Swore moſt falſly to the contrary. And how like it is that the *French* Ambaſſador would give three thouſand Crowns for writing that Libel, I leave the World to Judge. What I might further declare, I have left with Doctor *Hawkins.* Forgive all the World, and do hope that God will forgive me. I beg the Prayers of all good People for a happy Paſſage into the other World

*Edw. Fitz-Harys.*

*LONDON:* Printed for *S. Carr,* 1681.

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# *A True Copy of the Dying Words of Mr.* Stephen Colledge, *left in Writing under his own Hand, and confirmed by him at the time of Execution,* Auguſt 31. 1681. *at* Oxford.

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*Publiſhed by his own Relations.*

MY Innocency in all and every part of the Treaſons which were ſo deſperately, maliciouſly, and falſely ſworn againſt me, by thoſe wretched and mercenary men, *Dugdale*, *Turbervill*, *Smith*, and *Hains*; for I profeſs, as in the preſence of the Living God, I am ſo far from being guilty of what they ſwore againſt me, that, to the beſt of my knowledge, I never ſpake ſo much as one ſingle word of thoſe Treaſons to them, or either of them, in my Life; or ever heard them ſpoke, till they themſelves ſwore them againſt me in the Court: And do take it upon my death, I never was ingaged in any manner of Plot or Conſpiracy whatſoever, in my Life, againſt the King's Perſon, Laws, or Government, or know of any that is or was, the Papiſts onely excepted. And had it been true, as it is utterly falſe, that I was to have ſeiſed the King, either at *Whitehall* or at *Oxon*, (for my Enemies firſt ſwore it at *Whitehall*, and afterwards at *Oxon*, when the Bill was found *Ignoramus* at *London*, which I deſire may be obſerved, *Turbervill* being brought in for that purpoſe) I do here ſolemnly declare, I knew not of ſo much as one ſingle Perſon on Gods Earth that was or would have ſtood by me in that Attempt: And how likely I was to have done it my ſelf, or that I ſhould have truſted ſuch profligated and neceſſitous Wretches as Papiſts, Prieſts, and *Iriſh-men*, no way able to aſſiſt me, and thoſe that had diſcovered the Treaſons of their own Party, in which they were engaged (if they have ſworn truth), notwithſtanding they were obliged under the ſevereſt Oaths of Secreſie, and pains of Damnation, and had broke them, where could be my hopes they would conceal mine, had I truſted them, being a Proteſtant, and deteſting all ſuch Doctrine which obliged Men to conceal Treaſons, and cut the Throats of Innocents? I ſay, all this conſidered, let all Men of common ſenſe or honeſty be my Judges. As to what Mr. *Maſters* ſwore, he was unjuſt to me, in omitting the material part of our Diſcourſe concerning the Parliament in 40. For when he curs'd them, and the laſt Parliament at *Weſtminſter* alſo, and ſaid they were alike, and charged them in 40. with beginning the War, and cutting off the King's Head; I denied both, and ſaid it was the Papiſts that begun that War, and the Death of the King was the fatal Conſequence of it; which Mr. *Charleton* the Draper in *Pauls* Church-yard can teſtifie, the Diſcourſe being at the farther end of his Shop, and he preſent; into which *Maſters* ſeeing me go, came apace from towards his own Shop, and, as I believe, on purpoſe to quarrel with me, for which God forgive him: He alſo well knows he had often in deriſion called me *Colonel* before that in *Guild-hall*, and I made him ſome ſuch Anſwer accordingly. Sir *William Jennings* alſo did me wrong; for he ſwore falſe both as to the Words and Place: for I do not remember I ſaw him in the Court at all, but in the Coffee-houſe; my words were, *I had loſt the firſt Blood for the Parliament, I wiſh it be the laſt*; I am confident thoſe were my Words: But it's a wonder he miſtook me no more, ſince he is of *W*—— *C*—— *D*—— and *S*—— *&c.* Club, at the *Feathers* Tavern by *Fleet-bridge*, as Mr. *C*—— the Coffee-man himſelf told me, who alſo kept them company at that Place, but the *Wedneſday*-night before I was taken.

As to the Printed Papers which *Dugdale* produced in the Court, I do declare I never ſaw them called *The Raree Show*, and *Intercepted Letter*, in his hand, before that time, and therefore could not and did not decypher any of the Pictures to him, it's utterly falſe. I was not the Author of thoſe Verſes called the *Raree Show*, neither do I know who was, or the Printer; or ever owned my ſelf the Author of either of them Papers to him in my Life. I am reported to be a Papiſt; I declare I was bred a Proteſtant, ſuch have I lived, and ſuch I die. I never ſaw or heard;

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or was at any of their Devotions or Worſhip, except once at St. *Jameſes*, about 17 or 18 years ſince; though about that time and ſince, before the Plot was diſcovered, I worked for ſeveral of them at their Houſes.

Its reported I ſhould be the occaſion of perverting the Lady *Rocheſter*, and brought a Prieſt to her, one *Tomſon*, alias *Conyers*; I deny it, all I did was at the requeſt of the Earl of *Rocheſter*, who gave me a Letter to deliver to him, which I did, but knew not the Contents, neither did that Lady report any ſuch thing of me at her death. Its ſaid I harboured Prieſts and Jeſuits, and they inſtance in one *Serjeant* who lay at my Houſe in *Carter-lane*, Nine years ſince, by the name of Dr. *Smith*, a Doctor of Phyſick, brought to me by one *Monleſſe* an Apothecary in the *Old-Baly*, and one Mr. *Field* a Woolen Draper within *Ludgate*, and was there as a Doctor of Phyſick, and I knew for no other.

Its ſaid falſly alſo, I Married my Wifes own Mother, which is notorious falſe. There be ſome other ſcandalous and Malicious reports thrown upon me, as that I ſhould own all that was ſworn againſt me; except *Haines* Evidence and the like, to all which I have been Examined by Dr. *Marſhal*, whom the Biſhop of *Oxon* did voluntarily ſend to me the day after I was Condemned, and that Worthy, and Pious Dr. *Hall*, who came to me, and from whom I received the Bleſſed Sacrament on *Sunday* laſt, to whom I did make the ſame Confeſſion and acknowledgment as I have here inſerted; particularly the which I do again affirm is truth, as I ſhall anſwer it to God Almighty; only I did acknowledge as my fault, I did believe I might have been guilty on ſome occaſions, and in heat of talk, to have uttered ſome words of Indecency, not becoming my duty, concerning the King or his Council, and if ſo I do beg their Pardon: I further declare that Secretary *Jenkins*, Lord *Killingſworth*, and Mr. *Seymer*, when they Committed me, Interrogated me to many things, that I ſhould be privy to againſt the King, Mr. *Seymer* ſaying, I did know the Lord *Shaftsbury*, Lord *Howard*, Mr. *Fergiſen* were ingaged alſo; to all which I anſwered, were it to ſave my Life I could not accuſe a man of them, or any other Perſon whatſoever: This day alſo, *Tueſday* the 23 of *Auguſt*, the Meſſenger who brought me a Meſſage of my Death, told me I might ſave my Life, would I confeſs who was the cauſe of my coming to *Oxon*, and upon what account. I anſwered him, I was glad the confeſſing the truth of that would do it, and ſaid, I came voluntarily of my ſelf, I rode my own Horſe, ſpent my own Money, and neither was invited or had dependeney upon any Perſon whatſoever; and had only one Caſe of Piſtols and my Sword; and had the Papiſts or their Party offered to have deſtroyed the Parliament, as was ſworn and feared they would, I was there to have lived and died with them; and I thought in this I had ſerved the King alſo. But when I had ſaid this (although the very truth,) I found it was not that he wanted, and ſo with a Curſe he left me. To what I have ſaid, I ſhall only add, for my time is ſhort and precious, that what I have here declared is the very truth of my Caſe, which I ſhall by the help of my God confirm with my laſt Breath, and Seal with my deareſt Blood. I dye by the Hands of the Enemies of the Great God, his Chriſt, his Servants, his Goſpel, and my Country, to which I willingly ſubmit, and earneſtly pray mine may be the laſt Proteſtants Blood that Murdering Church of *Rome* may ſhed in Chriſtendom: And that my Death may be a far greater blow to their bloody cauſe, than I either have or could have been by my Life. The Lord God Almighty ſave *England* from Popery and Slavery, Bleſs the City of *London*, and unite all good Proteſtants in the Nation, from one End of the Land to the other. *Amen. Amen.*

*About* 12 *of the Clock at Noon he was Executed, and his Head and Quarters (through His Majeſties Grace) delivered to his Relations, and by them brought up to* London, *to be privately interred at their diſcretion.*

*LONDON*, Printed for *Edith Colledge*, 1681.

# THE SPEECH AND CARRIAGE OF Stephen Colledge AT OXFORD,

Before the CASTLE, on WEDNESDAY AUGUST 31. 1681.

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Taken exactly from his own Mouth at the Place of Execution.

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LONDON,
Printed for *Thomas Basset* at the *George* in *Fleet-street*, and *John Fish* near the *Golden Tun* in the *Strand*. 1681.

# THE SPEECH AND CARRIAGE OF Stephen Colledge, &c.

*Mr. High-Sheriff.* MR. *Colledge*, It is desired for the satisfaction of the World, because you have profest your self a Protestant, that you would tell what Judgement you are of.

*Colledge.* I ear People, Dear Protest nts, and Dear Countrey-men, I have been Accused and Convicted for Treason; the Laws adjudge me to this Death, and I come hither willingly to submit to it: I pray God forgive all those persons that had any hand in it. I do declare to you, whatever hath been said of me, I was never a Papist, or ever that way inclined; they have done me wrong, I was ever a Protestant, I was born a Protestant, I have lived so, and so by the Grace of God I will dye, of the Church of *England*, according to the best Reformation of the Church from all Idolatry, from all Superstition, or any thing that is contrary to the Gospel of our Blessed Lord and Saviour.

I do declare I was never in any Popish Service, Prayers or Devotions in my life, save one time about some 17 or 18 years ago, as near as I remember, I was out of a Curiosity one Afternoon at St. *James*'s Chappel, the Queens Chappel, at St. *James*'s; except that one time I never did hear any Popish Service, any thing of the Church of *Rome*, Mass or Prayers, or any thing else, Private or Publick. I know you expect that I should say something as to what I dye for: It hath been charged upon me, when I was apprehended and brought before the Council, some of the Council, the Secretary, and my Lord *Killingworth*, and Mr. *Seymour*, they told me there was Treason sworn against me: truly they surprized me when they said so.

For of all things in the world I thought my ſelf as free from that as any man. I asked them if any man living had the confidence to ſwear Treaſon againſt me? They ſaid ſeveral, three or four as I remember: Then they told me, It was ſworn againſt me, That I had a deſign to pull the King out of *White-hall*: and to ſerve him as his Father was ſerved, or to that purpoſe; the Logger head his Father, or that kind of Language: I did deny it then, and do now deny it upon my death. I never was in any manner of Plot in my days, neither one way nor another, never knew any ſuch perſons, nor ever had ſuch communication with any man hitherto: I know of no Plot in the world but the Popiſh Plot, and that every man may know as much as I: if I had had ſuch a deſign as theſe men have ſworn againſt me, to have ſeized his Majeſty either at *London*, or this place at *Oxford*, I take God to witneſs, as I am a dying man, and upon the terms of my Salvation, I know not any one man upon the face of the Earth that would have ſtood by me, and how likely it was that I ſhould do ſuch a thing my ſelf, let the whole world judge.

*Dugdale* ſwears, That I ſpoke Treaſon to him, Treaſonable words in the Coffee-houſe, and in the Barbers ſhop by the *Angel*; even *He* could not pretend to ſee me any where elſe; but it is falſe and a very unlikely thing that I ſhould ſpeak Treaſon to him. I muſt confeſs I was in his company at the Coffee-houſe, and that Barbers ſhop before I went out of Town: but there could be no communication between us, for he was writing at one end of the room, and eating a piece of Bread, and I lighted a Pipe of Tobacco at the other end and took it, till Sir *Tho. Player* and Sir *Rob. Clayton* came to me, and we went to my Lord *Lovelace*'s out of Town that night: So when they came, we took Horſe, and went out of Town with the reſt: For my part I can't ſumm up my Witneſſes, I was under moſt ſtrange circumſtances as ever any man was; I was kept priſoner ſo cloſe in the *Tower*, that I could have no converſation with any, though I was certain the Popiſh Lords had it every day there, but I could have none: I could not tell the Witneſſes that were to ſwear againſt me: I could not tell what it was they ſwore againſt me, for I could have no Copy of the Indictment, nor no way poſſible to make any preparation to make my defence, as I ought to have done, and might have done by Law.

I had no liberty to do any thing, as I am a dying man. And as to what *Dugdale*, *Smith*, *Turbervill* and *Haines* ſwore againſt me, they did ſwear ſuch Treaſon, that nothing but a mad man would ever have truſted any body with; and leaſt of all to Papiſts, every one of them that had been concerned with Plots and Treaſons among their own party: and under the greateſt ties and obligations of damnation; and to be Sainted if they kept it ſecret, and to be damned if they did reveal it. If theſe men will not keep things private for their own party, how could I truſt them? I take God to witneſs, and do freely acknowledge, I have ſought my God with tears ſeveral times to inform me, if ſo be I had with any word tranſgreſt at any time. I knew not of any part of what they ſwore againſt me, till ſuch time as I heard it ſworn againſt me at the Bar.

This is very hard Gentlemen, but this is the Truth: and there be a great many other ſtrange Reports that I have heard ſince I have been a Priſoner: That I ſhould be a means to convert the Counteſs of *Rocheſter*, by bringing one *Thompſon* a Prieſt to her. Truly all that I was concerned in, was ſome 15 or 16 years ago. I lodged at Colonel *Vernon*'s, that married

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the Lady *Brooks*, the Family were Papiſts: The *Brookſes* were Papiſts, and there was this *Thompſon*, and I did ſuppoſe him a Prieſt, in the houſe, though I never ſaw him at Popiſh ſervice or Worſhip, though I was there half a year; but coming afterwards to My Lord *Rocheſters* about ſome buſineſs I had to do for him, and ſeveral other perſons of Quality; he ſent for me one Afternoon from the Parſonage in *Adderbury* to his houſe, and his Lady and he ſtood together: He ſent to me and asked me if my Horſe were at home, ſaid he, I would have you carry this Letter to Mr. *Thompſon*, if you are at leiſure this Afternoon: My Lord I am at leiſure to ſerve you, ſo I took a Letter from his hand and his Ladies too as I remember (he made an offer that way) Sealed with his own Seal, and I carried it to *Thompſon* and delivered it to him, and he told me that he would wait upon my Lord, for it was for ſome Lands my Lord did offer to raiſe money for ſome occaſion: this is the truth of that ſcandal.

It is ſaid that I had a Prieſt ſeveral years in my houſe, *viz. Sergeant* that came over from *Holland* to diſcover: About ſome Ten years ago, that very ſame man came to me, but was a ſtranger to me, and he came to me by the name of Doctor *Smith* a Phyſician: and there was an Apothecary in the *Old-Bayly*, and a Linnen Draper within *Ludgate*, that came with him, they brought him thither and took a Chamber and lay about half a year, or three quartes at times, by the name of Doctor *Smith*, and as a Phyſician: this is the truth of that and no otherwiſe. This is the entertainment of *Sergeant*.

So the occaſion of my coming to *Oxford* I do ſay was voluntary, the Parliament men laſt Parliament at *Weſtminſter*, and ſeveral Lords dined together the day before they ſat; the laſt Seſſions of Parliament at *Weſtminſter* they ſent for me to the *Sun* Tavern behind the *Exchange*, and when I came, the Duke of *Monmouth* and ſeveral Lords were together, and I believe above 100 Parliament men of the Commons: The Duke of *Monmouth* called me to him and told me he had heard a good report of me, and that I was an honeſt man and one that may be truſted; and they did not know but their Enemies the Papiſts might have ſome deſign to ſerve them as they did in King *James*'s time by Gun-powder, or any other way: And the Duke with ſeveral Lords and Commons did deſire me to uſe my utmoſt skill in ſearching all places ſuſpected by them, which I did perform: and from thence I had as I think the Popular name of the Proteſtant Joyner, becauſe they had intruſted me before any man in *England* to do that Office.

This ſame *Heines*, one of them that Swore againſt me, had diſcovered to me and ſeveral others as to *Macknamarra* and his brother and this *Ivey*, who are now all of another ſtamp, that the Parliament was to be deſtroyed at *Oxford*, and that there was a deſign to murder my Lord *Shaftsbury*, by *Fitzgerald* and his party; and that they did endeavour to bring *Macknamarra* over to him, and ſaid, then it would be well with him: and they would not be long before they had *Shaftsburies* life: and he made Depoſitions of this to Sir *George Treby*, as I heard afterwards, for I was not with him when it was Sworn. I wiſh the Commons of *England* as well as I wiſh my own heart; and I did not underſtand but when I ſerved the Parliament, I ſerved his Majeſty too, and let them be miſerable that make the difference between them, for my part I never did. I came to *Oxford* with my Lord *Howard*, whom I look upon to be a very honeſt worthy Gentlemen, My Lord *Clare*, My Lord *Paget* and my Lord *Hun-*

*tington*, and this Captain *Brown* and *Don Lewis* were in my Company, and came along with us, as they were my Lord *Howards* friends, *Brown* I have known I believe two or three months; but *Lewis* I never ſaw before that day: They ſaid they came with my Lord *Howard*. I take God to Witneſs, I never had one 6 *d.* or any thing elſe to carry on any deſign; and if it were to ſave my life now, I cannot charge any man in the world with any deſign againſt the Government, as God is my Witneſs, or againſt his Majeſty, or any other perſon. As for what Arms I had, and what Arms others had, they were for our own defence in caſe the Papiſts ſhould make any attempt upon us by way of Maſſacre, or any Invaſion or Rebelion, that we ſhould be ready to defend our ſelves; God is my Witneſs, this is all I know: If this be a Plot; this I was in, but in no other, but never knew of any numbers or times appointed for meeting; but we have ſaid one to another that the Papiſts had a deſign againſt the Proteſtants, when we did meet, as I was a man of general converſation; and in caſe they ſhould riſe we were ready, but then they ſhould begin the attempt upon us: This was my buſineſs, and is the buſineſs of every good Subject that loves the Laws of his Country and his King. For *England* can never hope to be happy under thoſe blood-thirſty men, whoſe Religion is blood and murder, which I do with all my ſoul, and did ever ſince I knew what Religion was, abhor and deteſt, *viz.* the Church of *Rome* as pernitious and deſtructive to humane Societies and all Government.

I beſeech God that every man of you may unite together as Proteſtants againſt this common Foe. Gentlemen it is my ſenſe, and I do in that believe I am as certainly murdred by the hands of the Papiſts as Sir *Edm. Bury Godfrey* himſelf was, though the thing is not ſeen: Theſe Witneſſes certainly are mercenary men, and I beſeech God almighty to have mercy upon their Souls, and forgive them; and either by his judgments or mercies reclaim them, that they ſhed no more innocent blood: There is not a man of 'em that I know of that ever heard me ſay or do any bit of Treaſon in my life: This is (the firſt I may not ſay it is) but almoſt the 20*th*. Sham-plot that they have endeavoured to put upon the Nation, to delude the people and put off their own Damnable Plot. This is not the firſt, but I think the ſixteenth or ſeventeenth. I pray God that my blood may be the laſt: I pray God defend every mans blood, and all Proteſtants in *England* from the hands of theſe bloody Papiſts, by whoſe means I die this Death; and if they ſhall go on in this nature, I hope the good God will open every mans eyes to ſee it before he feels it. And I beſeech you if you have any love for your King, your Country, and the Proteſtants, unite together if you are Proteſtants. I pray God thoſe that deſerve the name, let 'em be called how they will, either Diſſenters or Church of *England* men, That they may unite together like men, like Chriſtians, againſt the common Foe, who will ſpare neither the one ſide nor the other, but beat you one againſt another like two Pitchers; the laſt that ſtands they will certainly deſtroy if they can. This is my ſenſe and God's my Witneſs, I ſpeak my Conſcience. I do not know Mr. Sheriff whether there be any thing elſe I have to ſay or no; we have a good God, and I beſeech every man that hears me this day, (for we live in a ſinful age, good people, and it behoves every one of you; it cannot belong before all that look upon me in this condition muſt lie down in the Duſt, and God knows muſt come into an eternal State (either for mercy or for judgment) I beſeech you in the name of

God

God, he is a God of mercy and a God of Patience and long ſuffering, that you would break off your ſins by repentance, and ſerve a good God who muſt be your friend at laſt, or elſe you are loſt to Eternity.

O Lord, how ungrateful wretches are we, that have a God of ſuch infinite mercy and goodneſs, that affords us our life, our health, and a thouſand mercies every day; and we like ungrateful people, not deſerving the name of men or Chriſtians, live riotous lives in debauchery and ſwearing, in malice, and the Lord knows how many evils: I beſeech God that I may be this day a means in the hand of God, to bring ſome of their Souls over to him: I beſeech you remember what I ſay; indeed I do not know, I have been ſo ſtrangely uſed ſince I have been a Priſoner, what to ſay: being brought from one affliction to another, that my body is worn out, and my memory and Intellects have failed me much to what they were: I can't remember what I have to ſay more, but that the Lord Jeſus Chriſt would bleſs my Countrey, and preſerve it from Popery, and in mercy bleſs his Majeſty: Good God be merciful to him, make him an Inſtrument in thy hand to defend his Proteſtant Subjects; Lord in mercy defend him from his enemies: Good God bleſs this people, good Lord continue the Goſpel of Jeſus Chriſt, thy Goſpel in its purity to us and our poſterity, as long as the Sun and Moon endure. O Lord ſave all that call upon thee, be merciful to all thy ſervants, all thy people that put their truſt in thee: Good Lord deliver them from the hand of their Enemies: Good God, let their lives and bodies and ſouls be all precious in thy ſight: O merciful God, put a ſtop to theſe moſt wicked Conſpiracies of thy enemies, and the nations enemies, the Papiſts. Let no more Proteſtant blood be ſhed but this of mine, I beſeech thee, O my God. O Lord look upon me, O Lord bleſs me, O good God receive me into thy bleſſed preſence, by Jeſus Chriſt my alone Saviour and Redeemer, in whom alone I put my truſt for Salvation: It is thee, O God, that I truſt in, thou righteous Judge of Heaven and Earth: all Popery, all Pardons, all Popes and Prieſts, all Diſpenſations I diſown, and will not go out of the world with a Lye in my mouth: From the ſincerity of my heart I declare again, that what I have ſaid to you is the very ſentiments of my Soul, as God ſhall have mercy upon me, and to the beſt of my knowledge.

I deſire the Prayers of you good people while I am here, and once more I beſeech you to think upon Eternity every one of you that hear me this day. The Lord turn your Hearts and Souls if you have been wicked livers; if you do live wicked lives the Lord in mercy convert you, and ſhew you your danger: for I as little thought to come to this as any man that hears me this day; and I bleſs God, I have no more deſerved it from the hands of men than the Child that ſucks at his mothers Breaſt: I bleſs my God for it; and do ſay I have been a ſinner againſt my God, and he hath learnt me Grace ever ſince I have been a Priſoner. I bleſs my God for a Priſon, I bleſs my God for Afflictions, I bleſs my God that ever I was reſtrained, for I never knew my ſelf till he had taken me out of the world. Therefore you that have your liberties, and time, and precious opportunities, be up and be doing for God and for your Souls, every one of you.

*To his Son.* Where is my dear Child?

*Mr. Sheriff.* I made one requeſt to you, and you gave me an imperfect Anſwer; You ſaid you were of the beſt Reformed Church in the world, the Church of *England* according to the beſt Reformation in the World: I deſire you for the ſatisfaction of the world to declare what Church that

is,

is, whether Presbyterian, or Independent, or the Church of *England*, or what?

*Colledge.* Good Mr. Sheriff, for your ſatisfaction: For twenty years and above I was under the Presbyterian Miniſtry till his Majeſties Reſtauration; then I was conformable to the Church of *England* when that was reſtored, and ſo continued till ſuch time as I ſaw perſecutions upon the diſſenting people, and very undue things done in their Meeting-places; then I went among them to know what kind of people thoſe were: and I do take God to witneſs, ſince that time I have uſed their meetings, *viz.* the Presbyterians, others very ſeldom, and the Church of *England*. I did hear Dr. *Tillotſon* not above three weeks before I was taken. I heard the Church of *England* as frequently as I heard the Diſſenters; and never had any prejudice, God is my witneſs, againſt either, but always heartily deſired that they might unite, and be Lovers and Friends, and I had no prejudice againſt any man; and truly I am afraid that it is not for the Nations good that there ſhould be ſuch heart-burnings between them: That ſome of the Church of *England* will preach that the Presbyterians are worſe than the Papiſts. God doth know, that what I ſay, I ſpeak freely from my heart, I have found many among them truly ſerving God, and ſo I have of all the reſt that have come into my company; men without any manner of deſign but to ſerve God, ſerve his Majeſty, and keep their Liberties and Properties; men that I am certain are not of vicious lives; I found no Dammers or thoſe kind of people among them, or at leaſt few of them.

*To his Son, Kiſſing him ſeveral times with great paſſion.* Dear Child Farewel, the Lord have mercy upon thee. Good people, let me have your Prayers to God almighty to receive my Soul.

*And then he Prayed: And as ſoon as he had done ſpake as followeth:*

The Lord have mercy upon my Enemies, and I beſeech you good people who ever you are, and the whole world that I have offended to forgive me, whom ever I have offended in word or deed, I aske every mans pardon, and I forgive the World withal my ſoul, all the injuries I have received, and I beſeech God Almighty forgive thoſe poor Wretches who have caſt away their ſouls or at leaſt endangered them to ruine this body of mine: I beſeech God that they may have a ſight of their ſins, and that they may find mercy at his hands: Let my blood ſpeak the Juſtice of my cauſe.

I have done: and God have mercy upon you all.

To Mr. *Croſthwait.* Pray Sir my ſervice to Dr. *Hall*, and Dr. *Reynall*, and thank them for all their kindneſſes to me; I thank you Sir for your kindneſs: The Lord bleſs you all. Mr. Sheriff, God be with you: God be with you all good people.

*The Executioner* Ketch *deſired his pardon.* And he ſaid I do forgive you. The Lord have mercy on my ſoul.

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# Advertiſement.

The Arraignment, Tryal and Condemnation of *Stephen Colledge*, will be publiſhed the next week; Price 2 *s.* 6 *d.* Printed for *Tho. Baſſet*, and *John Fiſh*.

515. l. 2.
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The Proceedings at

# The Sessions-House IN The Old-Bayly,

On the 24 of this instant *November*,

In Relation to the Bill of Indictment, presented to the Grand-Jury of *London*, against the Earl of of *Shaftsbury* for High-Treason. Giving an Account of all the most Material Passages.

*With the Names of the Evidence, their Examination by the Jury, and the Returning the Bill* Ignoramus, *&c.*

THis day the Grand Jury for the City of *London*, being Summoned by Vertue of a special Commission, made their Appearance at the Sessions-House in the *Old-Baily*, where after they were Sworn, Sir *S. Bernardiston* being Foreman, a Bill of Indictment for High-Treason against *Anthony* Earl of *Shaftsbury* was Presented to them, the which, after my Lord Chief Justice had given the Charge, was Read, Importing, that the said Earl had Tratorously and Maliciously conspired the compassing the Death of his Majesty, him to Depose, and put to final Destruction, by raising Armes, and leavying War within his Majesties Dominions, *&c.* Upon which a Paper was produced, Importing several Designes against his Majesties Person and Government: As likewise a kind of an Oath or solemn Covenant to be taken by such as were to enter into the Confederacy for opposing the Succession, which Paper was Sworn to be found in the Earls Closet by Mr. *Guinn*, one of the Clerks of the Council, and sealed up in his Trunk on the 6th of *July* last, *&c.* Sir *Lyonel Jenkins* and Mr. *Blackwaite* gave Evider , that it was the same Paper that they had before seen, which came out of the Earls Trunk; then after the Jury had made Objections against the Witnesses being Examined in open Court, and had been over-ruled in that particular, Mr. *John Booth* was called and Sworn, the rest not being permitted to come within hearing; he gave in Evidence, that he having had access to the Earls presence, by the means of Captain *Wilkinson*, a little before

the ſitting of the Parliament at *Oxford*; he told him, that having well conſidered the Elections, he found they would inſiſt upon the Bill of Excluſion; The Repealing the 35 of *Elizabeth*, and the bringing in a Bill for Uniting the Proteſtant Diſſenters, which he knew the King would not conſent to, and therefore it was reſolved, to compel him to it, and for that purpoſe, moſt of the Members would come Armed, and that himſelf was to have Fifty Gentlemen, which he deſigned ſhould be Commanded by Captain *Wilkinſon*, and that Captain *Wilkinſon* told him, if he would Liſt himſelf under him, he muſt provide him with Horſe and Armes, and that he would provide his Man with a Horſe, the which he declared was done: The other witneſſes were *John Smith*, *Edward Ivy*, *Edward Turbervil*, *Brian Haines*, *John Macknamarra*, *Dennis Macknamarra*, *Bernard Dennis*, who Evidenc'd that the Earl at ſeveral times imparted to them Treaſonable deſigns, tending to the Depoſing of his Majeſty, and to reduce the Kingdome to a Common-wealth, after the manner of *Holland*; and that for that purpoſe, ſeveral perſons would Arm; the Rable being reſolute on their ſide, and a great number of Gentry who would cut in pieces the Mercinary Guards, and then take from his Majeſty ſuch Lords as at that time he mentioned, ſaying they Evilly adviſed his Majeſty; and that unleſs ſuch means were uſed, Popery would Enevitably be Introduced and that it now ſtood the People of *England* upon to ſtand for their Liberties: that his Majeſty might be Depoſed as King *Richard* the Second was, he having taken ſuch like Meaſures, or to that effect. Farther, it was Sworn that his Lordſhip ſhould ſay, that his Grace the Duke of *Buckingham* (in the Right of his Mother) ought to be Baron of *Roſs*, and had as good a Title to the Crown, as the Deſcent of the *Stuarts*, or to that effect. Many other paſſages were Sworn to, too tedious here to Incert. When the Evidence had been Examined, the Jury withdrew for ſome time, to conſider the particulars, when returning, they deſired to Examine the Evidence one by one, which was granted by the Court, whereupon they were called in order, and Croſs Examined to what they had Sworn, in which they little vary'd. When they had been Examined for the ſpace of two hours, the Jury deſired to have the Statute Book, to peruſe the Statutes of the 25 of *Edward* the third and that of the 13 of his preſent Majeſty, which was granted, and then went out again to debate the matter upon the whole Evidence, but ſtay'd not above the ſpace of an hour and a half before they returned, and brought in the Bill *Ignoramus*, upon which a very great Shout was given, and upon the complaint of the Evidence that they were in danger of their Lives, the Court ordered the Sheriffs to ſend for a Guard to Conduct them ſafe to their Habitations, and ſo ended theſe remakable proceedings.

LONDON; Printed for *J. Heathcoate*, 1681.

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THE LATE

# SPEECH

AND

# TESTIMONY

OF

## WILLIAM GOGOR,

One of the Three desperate and incorrigible

# TRAYTORS,

Execute at the *Grass Mercat* in *Edinburgh*, the Eleventh day of *March*, 1681.

*For disowning His Sacred Majesties Authority; and owning and adhering to these Bloody and Murdering Principles, contained in that Execrable Declaration at* Sanquhar, Cargils *Traiterous Covenant, and Sacrilegious Excommunicating of the* KING, *by that Arch-Traitor* Cargil, *and avowing of themselves to be bound in Conscience, and by their Covenant, to Murder the* KING, *and all that Serve under Him; being Armed (the time they were apprehended) for that purpose.*

MEn and Brethren, these are to shew you, that I am come here this day, to lay down my Life for owning Christ and his Truths; and in so much as we are Calumniate and Reproached, by lying upon our Names, and dreadful upbraiding of us, with saying, That we are not led by the Scriptures, and say we have taken other Rules to walk

walk by; I take the Great God to be Witneſs againſt all and every one of them, that I take the Word of God to be my Rule, and I never deſigned any thing but honeſty and faithfulneſs to Chriſt: And for owning of Chriſt and the Scriptures this day I am murdered; for adhering to the Born-down-truths, I am Condemned to dy; and I alſo leave my Teſtimony, and bear Witneſs againſt all the Apoſtate Miniſters this day, that have taken favour at the Enemies hands: The only thing they take away my Life for, is, Becauſe I diſowned all thoſe Bloody Traytors not to be Magiſtrates, which the Word of God caſts off, and we are bound in Conſcience and *Covenant* to God, to diſown all ſuch as are Enemies to God, and which they are avowed and open Enemies to Chriſt; *And they have made void my Word, ſaith the Lord:* Say what ye will Devils, ſay Wretches, ſay Enemies, ſay what ye will, we are owning the Truth of Chriſt, and his written Word; and condemn me in my Judgement who will, I leave my Blood on one and all that ſay we are not led by the Scriptures: I leave my Blood upon you again to be a Witneſs againſt you, and a Condemnation in the great Day of Judgement. I have no more to ſay, I think this may mitigate all your Rage; and ſo forth, I leave his Enemies to his Curſe, to be puniſhed into Everlaſting Wrath, for now and ever *Amen.*

Sic ſubſcribitur, *WIL. GOGOR.*

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*LONDON*, Printed for *R. B.* and ſold by *W. Davies.* 1681.

K. Philpot-(C) 17

A True and VVonderful

# RELATION

OF

# A Murther

515. L.
54

Committed in the PARISH

OF

# Newington,

*The* 12th. *Day of this preſent* January.

BY A

# MAID

WHO

**Poyſoned her ſelf,**

AND

# Cut the Throat

OF A

# CHILD.

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*LONDON*,
Printed for *T. Benskin*, in *Gaeen's Rents*;
neer *Fleet-Bridge*, 1681.

# A True and VVonderful Relation of a Murther Committed in the Pariſh of *Newington*, &c.

*SAtan that enemy of Mankind, who goeth about as a Roaring Lyon, ſeeking whom he may devour, hath of late been very buſie amongſt us, and by his diveliſh Inſtigation, many horrid* Murthers *have been perpetrated and committed in ſeveral parts, for the which thoſe evil Inſtruments have received condign puniſhment; for according to his ſpightful and malicious nature, he always forſakes his evil Inſtruments when ever they fall into the hands of Juſtice; yet ſo frail and weak is the nature of Sinners, they will not take warning by the harms of others, and though they ſee Fellony and Murther every day puniſhed, by an ignominious and ſhameful Death, however, by the ſubtilty of Satan, they fall into the ſame ſnare, and are over-whelmed in the pit of Deſtruction.*

God, 'tis true, hath an over-ruling hand, and he often tyes up this *Leviathan*, that would elſe devour and deſtroy all the Race of Mankind, and we have ſeen him miraculouſly take care of this poor Nation, in Muzling this devouring Beaſt, and in making known his bloody deſigns, in plotting our Ruine, and deſigning horrid and bloody Maſſacres and Murthers, and finding himſelf thus reſtrained by the over-ruling Hand of the Omnipotent, he ſeems inraged and furious, and where he is permitted for the Chaſtizement of ſinful Creatures, he prevails often on private perſons, and that way ſeems to expert and put forth his Helliſh Poyſon and Malice. But that I may not make my Porch bigger than my Houſe, or my Preamble longer than my Narration, I will enter upon it, and give you the full Narrative of it, and that upon certain knowledge of the ſame. But before I begin, I muſt obſerve, that among the many Murthers that have been committed in our Age, this is one of the moſt pittiful, and alſo the ſtrangeſt, ſhewing plainly the power, malice, and ſedulity of the Devil, to enter and poſſeſs Mankind, and to ſtir up both Men and Women to horrid and evil Actions and Murthers.

On the 12*th*. day of this preſent *January*, one *Charity Philpot*, being the Servant of one Mrs. *Mathews*, a Sempſtreſs, who lives in *Kent-ſtreet*, in the Pariſh of *Newington*, neer *St. Georges* Church; being certainly Inſtigated by the Devil, and not having the fear of God before her eyes, was poſſeſſed by him,

for on a ſudden without cauſe given, ſhe ruſhed in upon her Miſtreſs, who was in a Room with her Child with her, and with a ſtrange and fearful Look, more like a Fury, or one poſſeſſed, then a Chriſtian, ſhe came towards her Miſtreſs, who being affrighted to ſee her in that manner, never obſerving her ſo before, ſhe asked of her what ſhe ailed, and what ſhe would have; the Maid, this *Charity Philpot*, reply'd haſtily, and told her Miſtreſs, That ſhe came to Kill her, and then ſhe would fire her Houſe. The Mrs. being in no little affright at her words, and ſeeing her come towards her, fled out of the Room, calling out for help; but in the mean time this poſſeſſed Wretch ſtepping to the affrighted and amazed Child, Cut its Throat. The Mother of it preſently returning, with ſome Neighbours, whom ſhe had called in to her Aſſiſtance, and ſeeing her Child ſprawling in its Gore, ſhe ſhrieked out, and cry'd; Oh! what have you done to my Child! The Maid preſently returned anſwer, I have cut its Throat, as I would have done yours, had you not fled. They immediately laid hold on her, and began to Interrogate her upon what occaſion ſhe had committed ſo abominable and horrible an action; ſhe told them, That a Man in an High-crown'd Hat bid her to do it, and that he had wheted the Knife and put it into her hand, and alſo told her ſhe ſhould fire the Houſe. They told her then that ſhe would be hang'd for it; ſhe replyed, no but ſhe would not, for ſhe had taken Poyſon, which ſhe ſaid ſhe had bought of ſome Apothecary neer. They took her for the preſent and lock'd her up in a Garret to ſecure her, till they could ſend for a Conſtable to have her before a Juſtice of the Peace, but ſhe had not been long in the Garret, before ſhe had flung her ſelf out at the window, and though it was two Stories high, ſhe received no hurt. But ſhe was then ſecured again, and all the windows and doors being made faſt, it being late, they left her upon the Bed, and the next morning they found her dead, for the Poyſon ſhe had taken had kill'd her, her face and body being hugely Swell'd.

This is the True Relation of this Horrid Murther, as many perſons can Teſtifie; from the like Effects of Sathans Malice, *Good Lord Deliver all good Chriſtians.*

FINIS.

K. England. Exchequer. Court of.

202

515. l. 58

# THE OPINIONS OF THE Barons of the Exchequer. AND DIRECTIONS TO ALL Justices of the Peace, AND CONSTABLES, &c.

For the Legally Convicting of all Persons, that are taken in Conventicles, and unlawful Meetings.

*Given at the Court of* Exchecquer, *upon Justice* Balch's *Case.*

*Published by Special Authority.*

THE *Justices of Peace of Middlesex* having a good while since received His Majesties Orders in Council, to put the Laws in Execution, and to Suppress *Conventicles*; some of the said *Justices* accordingly issued out their Warrant to Mr. *Hodges*, a Constable, requiring him to Suppress the *Conventicle* kept by One Dr. *Annesley*; and to seize

ſeize ſuch Perſons, as ſhould be found met there, upon pretence of a Religious Worſhip, contrary to Law: The ſaid Conſtable repairing thither, found above 200. Perſons ſo Aſſembled; One of whom being ſeized, and carried before Mr. Juſtice *Balch*, was (upon his refuſing to Declare his Name) Committed to Priſon: But ſometime after owning himſelf to be called *White*, and being thereupon Diſcharged, brought his Action of Two Thouſand Pound, for falſe Impriſonment againſt Mr. *Balch*, and Mr. *Hodges*. The Caſe being debated by Council Learned on both ſides, before the Barons of His Majeſties Court of *Exchequer* (the latter End of Laſt *Terme*) Verdict was given againſt the ſaid *White*, and he condemn'd in treble Coſts, as the Law directs: the *Court* further unanimouſly Declared the Law to be,

1. That if thoſe in a *Conventicle* refuſe to open the Door upon a Juſtice of Peace his Warrant, Entrance being demanded, the Door may be broken open.

2. That the Perſons apprehended there, are Convicted upon their being brought before a *Juſtice of Peace*, without Oath; incurring the ſame *Penalty*, as if they were Convicted by Oath; as the Law directs in ſuch Caſes.

3. That thoſe Perſons that are in *Conventicles*, though not brought before a *Juſtice of the Peace*, may notwithſtanding be Convicted by the Oath of Two Witneſſes, of their being *There*; incurring alſo the ſame *Penalty*, as if they were; as the Law directs, *&c.*

4. That if any Perſon ſo ſeized, denies his Name, he may be Committed to Priſon.

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*LONDON*,
Printed for *R. H.* and are to be Sold by *Walter Davies*, in *Amen-Corner*, near *Pater-Noſter-Row*, 1682.

# AN ACCOUNT OF THE TRYAL AND EXAMINATION OF JOAN BUTS,

575. L. 2
59

## For being a Common WITCH and INCHANTRESS, before the Right Honourable Sir *Francis Pemberton*, Lord Chief Juſtice, at the Aſſizes holden for the Burrough of *Southwark* and County of *Surrey*, on *Monday*, March 27. 1682.

SHE was indicted by the name of *Joan Buts*, late of *Yeel*, in the County of *Surrey*, for that ſhe being a common *Witch* and *Inchantreſs*, and not having the fear of God before her eyes, but moved by the inſtigation of the Devil, ſhe did by her wicked and deviliſh Art, bewitch *Mary Farmer*, and brought her into a languiſhing Condition; in which languiſhing Condition ſhe continued until ſhe died.

She was indicted a ſecond time, for that ſhe being a common *Witch* and *Inchantreſs*, &c. ſhe not having the fear of God before her eyes, but guided by the inſtigation of the Devil, ſhe had by her wicked and deviliſh Art, bewitched *Elizabeth Burrige*, and brought her into a languiſhing Condition, &c. To both which Indictments ſhe pleaded Not Guilty; and for Tryal, put her ſelf upon God and her Country.

The Witneſſes being ſworn, the Parents of *Mary Farmer* ſwore, That their Child being taken ill in an extraordinary and violent manner, the Neighbours told them it was bewitched, and perſwaded them to go to Dr. *Bourn*, which they did, and *Bourn* told them, That their Child was under an ill Tongue, and adviſed them to ſave the Childs water, and put it into a Bottle, ſtopping it cloſe, and bury it in the Earth, and to burn the Childs Clothes, aſſuring them, that then the *Witch* which had done her the hurt, would come in; and that accordingly they did ſo; and when the Childs clothes was burning, *Joan Buts* came in, and ſat her down upon a Stool, looking with a moſt frightful and gaſtly Countenance; and being asked by a Woman that was there preſent, what ſhe ailed? ſhe anſwered,

She

ſhe was not well, nor had been out in ſeven weeks before; why would you come out now then, ſaid the Woman? I could not forbear coming to ſee you, ſaid ſhe; and with that, ſhe threw down her Hat and tumbled down, wallowing on the ground, making a fearful and diſmal noiſe; and being got up, ſhe fell a curſing in a moſt horrid manner. To this purpoſe ſwore divers others, who were preſent at the ſame time.

*Elizabeth Burrige*, who was one of the perſons bewitched, ſwore, That going out of her Maſters houſe in the evening, towards the Barn-door, ſhe ſaw a Gooſe, or ſome ſuch creature, coming towards her; whereat being much affrighted, ſhe run in a doors, telling them what ſhe ſaw; whereupon, her Miſtris, with ſome others of the houſe, went out to ſee if they could ſee any thing; and being out, there were ſtones thrown at them from every ſide, and they could not ſee from whence they came; ſo that they were forced to retire into the houſe; and having ſhut the door, the ſtones were thrown as faſt in at the window, and yet not one Quarrel of Glaſs broken. Her Maſter ſwore, that ſhe being in the middle of the Room, ſhe ſuddenly ſcreamed out, ſaying, Something is got into my back, when going to her, he pulled out a great piece of Clay from about the middle of her back, ſtuck as full of pins as ever it could hold. The Maid ſwore alſo, That going the next morning a milking, ſhe ſaw *Joan Buts*, bedagling her ſelf among the Buſhes; whereat being affrighted, ſhe came home and told them, that ſhe had met ſuch a woman that uſed to come a begging to the houſe, ſhe not then knowing her name; but they told her, it was Goody *Buts*. Her Maſter ſwore likewiſe, that ſending her up ſtairs, to fetch him ſomething out of a Trunk, ſhe called out, Maſter, here is Goody *Buts*; but going up ſtairs with ſeveral others, they could not ſee her, but they ſaw ſeveral things in the Chamber move out of their places, there being no body near them; and that coming down ſtairs, an Andiron that ſtood in the Chimney, removed out of its place, and flying over their heads, fell down before them; and that the Maid crying out again, that ſomething was got into her back, he took out another great piece of Clay, ſtuck as full of thorns as the other was of pins.

Others ſwore, That they had divers times taken out pins from the Arms, and other parts of *Mary Farmar*; which was alſo proved by divers others that had ſeen them taken out.

And one of the Evidences ſwore, that he heard her ſay, That if ſhe had not bewitched her, if all the Devils in Hell could help her, ſhe would bewitch her.

She pleaded, ſhe was innocent, and that thoſe things that were ſworn againſt her, were not true. My Lord asked her, if ſhe did not ſpeak thoſe words: ſhe acknowledged ſhe did: but my Lord, ſaid ſhe, I am a paſſionate woman, and they having urged me, I ſpake thoſe words in paſſion, my Lord, but I intended no ſuch thing.

She ſaid of one of the Witneſſes, whoſe name is *Hakeing*, and reputed to be a very ſober man, that he had given himſelf to the Devil Soul and Body. My Lord Chief Juſtice asked her, How ſhe knew he had done ſo; to which not being able to give any anſwer, my Lord cheked, and told her that ſhe muſt not abuſe the Witneſſes at that rate. There was in all about Ninteen or Twenty Witneſſes againſt Her. And the Tryal was near three hours long. The Jury having been ſome time out, returned and gave in their Verdict that ſhe was not Guilty, to the great amazement of ſome who thought the Evidence ſufficient to have found her Guilty; yet others who conſider the great difficulty in proving a Witch, thought the Jury could do no leſs than acquit her.

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*LONDON:*

Printed for *S. Gardener.* 1682.

K. Westminster, City of. Grand Jury.

# The PRESENTMENTS

Of the Grand-Juries for the City of *Weſtminſter* and County of *Midd^x.*, *Jan.* 1682.

Civitas, Burgus & Villa *Weſtm'* in Com' *Midd'*. } *Ad Generalem Quarterialem Seſſionem Pacis Dom' Regis tent' apud* Weſtm' *pro libertat' Decani & Capitali Eccleſiæ Collegiate beati* Petri Weſtm' *Civit' Burghi & Ville* Weſtm' *in Com'* Midd' *& Sancti* Martini le grand London, *die* Lune (*ſcilicet*) *octavo die* Januarii, *anno Regni Domini* Caroli *ſecundi Dei gratia* Angliæ, Scotiæ, Franciæ, & Hiberniæ *Regis, Fidei Defenſor', &c.* 34.

THis Court having (amongſt other material things) given in charge to the Grand-Jury then ſworn the due Proſecution of all perſons diſſenting from the Government of the Church: received the Preſentments of the ſaid Grand-Jury, under their hands, written and ſubſcribed as followeth: Ad Seſſion' Pacis 8. Januarii, 1682.

WE *preſent, That all* Popiſh, *and* Other Recuſants, *ought to be proſecuted according to Law; and that all* Seditious Conventicles, Aſſemblies *and* Meetings *ought to be ſuppreſs'd, as dangerous to the Peace of the Kingdom, His Majeſty's Royal Authority, and the Proteſtant Religion as by Law Eſtabliſhed; And that Mr.* Stephen Lobb, *and Mr.* John Humphreys, *of the Pariſh of St.* Martins in the Fields, *and Mr.* Alſop, *of the Pariſh of St.* Margarets, *and all other perſons who Preach or Teach at the aforeſaid* Conventicles *or* Meetings, *ought to be proſecuted as Seditious perſons, and ſuch who (living in manifeſt contempt of His Majeſty's Government and Laws) do pervert and entice the hearts and minds of His Majeſty's good people from their duties to* God *and the* King.

(And thereupon this Court did immediarely order Indictments againſt the particular perſons in the Preſentment named, and many more Eminent *Papiſts* and *Proteſtant Diſſenters* within this Liberty; which being found by the Grand-Jury afore-named, the Court have cauſed Proclamation to be made thereupon, to render themſelves, or ſtand Convicted.)

*We having at this time before us a certain Pamphlet, Entituled,* A Defence of the Charter, and Municipal Rights of the City of *London*; *written by* Tho. Hunt, *and printed by* Rich. Baldwin: *we do preſent the ſame as a Dangerous and Seditious Libel againſt the King and Government; and that the Author and Printer of the ſame ought to be puniſhed according to Law.*

*Per Cur'* Hardeſy.

| | | | |
|---|---|---|---|
| *Will. Bridgeman,* | *James Supple,* | *Will. Stevens,* | *Hugh Squire,* |
| *Ni. Baxter,* | *Giles Champneys,* | *Joſ. Talcoate,* | *Wil. Franclyn.* |
| *N. Arnold,* | *Spencer Hickman,* | *J. Leegir,* | *W. Stone,* and |
| *John Cooke,* | *Wil. Grove,* | *Ralph Sayer,* | *Tho. Sutton.* |

## The PRESENTMENT of the Grand-Jury for the County of *Middleſex.*

*To the Right Worſhipful* Charles Lee *Knt. and the reſt of His Majeſty's Juſtices of the Peace for the County of* Middleſex, *ſitting at* Hicks's-hall *in the ſaid County.*

WE the Grand-Jury ſummon'd and ſworn for this preſent Seſſions of the Peace, do humbly preſent, That it is our opinion, that all *Papiſts* and *Conventicles* or *Meetings* whatſoever, on pretence of Religion, contrary to the Act of *Uniformity*, are abſolutely againſt the known wholſom Laws and Statutes of this Realm, and tend to the Subverting the Monarchy, and Religion eſtabliſhed in Church and State, the hazard of His Majeſty's moſt Sacred Perſon, and the Ruine and Overthrow of His Majeſty's moſt Loyal and Dutiful Subjects; And that ſuch Schiſm is promoted by the pretenders to Religion, either out of Pride, Covetouſneſs, or to occaſion or promote a Rebellion, or which can be named worſe, in a good and ſettled Government, to compaſs their wicked Deſign; And that thoſe that are Promoters of ſuch Schiſm, are or were either *Rebels, Atheiſts, Papiſts, Democraticks, Enthuſiaſts,* and are at preſent *the Peſt of the Nation.*

And we do humbly take notice, and applaud the Wiſdom of that Houſe of Commons, who on the 25*th* of *February*, in the 15*th.* year of His Majeſty's Reign that now is, where it was Reſolved *nemine contradicente, That the humble Thanks of that Houſe ſhould be preſented to His Majeſty, for His Reſolution to maintain the Act of Uniformity.* And in the next Vote, Reſolved, *That it be preſented to the King's Majeſty, as the humble advice of that Houſe, That no Indulgence be granted to the Diſſenters from the Act of Uniformity.*

Which humble advice the ſaid Houſe of Commons humbly preſented to His Majeſty, with their reaſons, which we take to be undeniable, conſidering that the ſame was the principal occaſion of the late *Rebellion*, and the Inconvencies that did attend the ſame; and alſo how near the *Phanaticks* came to a *ſecond Rebellion*, ſince the Diſcovery of the *Popiſh-Plot.*

We alſo humbly preſent, That all thoſe that are any ways concern'd in the Government, that do not their utmoſt endeavours to ſuppreſs ſuch *Papiſts*, or *Conventicles* and *Unlawful Aſſemblies*, are Enemies to His Majeſty, and the Eſtabliſhed Government in Church and State.

And we do render our hearty thanks to thoſe Gentlemen that ſit on this Bench, that have effectually put the Laws in execution againſt the *Papiſts*, and other the pretended *Proteſtant Diſſenters*; and do eſteem their meaſures as the only way to render Peace and Happineſs to His Majeſty, His Royal Succeſſors, and to His and Their Loyal and Obedient Subjects.

And whereas there are ſeveral perſons that have been bred and educated according to the Doctr of the Church of *England*, and profeſs themſelves of the Church; but in their Lives and Converſations, by their Swearing, Debauchery, and open profaneneſs, are become Scandals to their Religion; and that even in time of Divine Service they do frequent Taverns and other publick Houſes, even to the Scandal of our Religion.

We do therefore humbly preſent, That due enquiry may be made after ſuch perſons, and that they may be pr ſented according to Law, that the Debauchery of ſuch Vitious perſons be not accounted a Scandal to our Religion; and alſo, that there may be a more ſtrict Obſervance of the Lords-day.

Upon this humble Preſentation of our ſenſe in the premiſſes, we pray that effectual care be taken for the ſuppreſſing of all *Papiſts* and *Conventicles* and *Unlawful Meetings* whatſoever; as alſo, any open Profaneneſs.

It is ordered by this Court, That this Preſentment be forthwith Printed and Publiſhed. *Per Cur'* ADDERLEY.

*London*: Printed for *W. Cademan* in the *New-Exchange*, and ſold by *W. Davis* in *Amen-Corner*, 1682.

# Presentments of the Grand-Jury for the Town and Borough of Southwark.

To the Right Honorable the LORD MAYOR of the City of *London*, and the rest of his Majesties Justices of the Peace for this Town and Borough of *Southwark*, sitting in open Sessions at the *Bridg-house-Hall* in the said Borough, on *Friday* the Twelfth day of *January*, *Anno Dom.* 1682.

*We the* Grand-Jury, *Summoned and Sworn for this present Sessions of the Peace, holden for this Town and Borough of* Southwark, *do with all Humble Deference to our Superiors, Present as followeth,* viz.

I. THAT what the Wise and Learned King *James*, his Majesties Royal Grandfather of Blessed Memory has, from his Own Observation, and sad Experience (among other things) so solemnly Asserted in His Excellent *Book of Instructions* to his Eldest Son Prince *Henry*, concerning the *Puritans* of that Age, may as truly be affirmed of the generality of the *Separatists* of our Times; to wit, * *That they are the very Pests in the Church and Common-weal, whom no Deserts can Oblige, neither Oaths or Promises Bind; Breathing nothing but Sedition and Calumnies, Aspiring without Measure, Railing without Reason, and making their own Imaginations (without any Warrant of the Word) the square of their Conscience; and that ye shall never find with any High-land, or Border-Thieves greater Ingratitude, and more Lies and vile Perjuries, than with these Phanatick Spirits.*

* *Basil. Doron*, p. 31.

II. That Popery and Phanaticism being equally gross Defections from Primitive Christianity, and equally destructive of the Established Government of these Kingdoms both in Church and State, equal Zeal and Vigor, as we humbly conceive, ought to be used towards the Extirpation of them both: And the rather, for that it is plain from *Coleman*'s Papers, and other unquestionable Evidence, that ever since his Majesties happy Restauration, both Papist and Phanatick, for the compassing their end of Subverting the present Establishment, have been united in their Endeavours to procure a *Toleration*, as the only means to accomplish it.

III. That all who do less than their *utmost* towards the Suppressing all Conventicles prohibited by Law, and yet stile themselves his Majesties *Loyal Subjects*, are meer Usurpers of that Title. And that all who plead for the Relaxation of the Penal Laws against either Popish, or Protestant Dissenters, at this time, under what speciousPretext soever, are, in our opinion, Enemies to the King and the Protestant Religion; and are either such as live in the open Breach of those Laws, or such others as lie under a just Suspicion of being Pensioners to the Pope and the *French* King, and engaged in a Conspiracy against the Government.

IV. And whereas the often repeated Experiments of Lenity and Indulgence towards Dissenters have been so far from rendering them more Modest in their Behaviour towards the Government, that on the contrary they are thereby become more Audacious in their lewd Practices against it; and those who take upon them to Preach in Conventicles, are generally observed to take Occasion, from the faint Execution of the Laws against them and their Followers, most blasphemously to entitle God Almighty to an Especial, nay, even to a Miraculous Protection of them in their Disobedience to his Vice-gerent, and thereby to make more Proselytes to Faction, than they could do if they were not prosecuted at all: And whereas also from the Practices of the generality of the Dissenters in dispensing with Oaths and Sacraments in Matter and Mode repugnant to their commonly avowed Principles, meerly to qualifie themselves for Places of Trust and Profit, it is undeniably apparent that they daily prostitute the most Sacred Rites of Religion to serve their secular Interests, and thereby have baffled their own pretences to Tenderness of Conscience, and are become a Scandal to the Christian name. Therefore we humbly conceive, that the only way to maintain the Honor of Christianity, to preserve the Kings Person, the Monarchy, the Religion Established, the publick Peace, the just Rights and Liberties of his Majesties Loyal Subjects, to defeat the Designs of that accursed Mixture of *Atheists*, *Papists*, *Democraticks* and *Enthusiasts*, of which the Faction, which has so much annoyed the Government, is compounded, and to fasten a just brand of Infamy upon the Impostors, and charitably to rescue and undeceive their deluded Disciples, is a thorow and impartial Execution of the Penal Laws against all Dissenters whatsoever.

V. Moreover, we of this Borough labouring more particularly under this Grievance, that persons notoriously Disaffected to the Royal Interest, are through Arbitrary Incroachments upon the ancient Rules and Usages of Choice, become the Majority of Governors of an *Hospital* of Royal Foundation among us, and so effectually the disposers of all Offices and Employments relating thereunto, and the managers of a large Revenue belonging to the same, and generally abuse the Power and Reputation they gain thereby to the perverting of those who prefer a sordid Interest before Duty and Allegiance. We offer our humble Opinion that a speedy Regulation in that matter would be a very seasonable means of relieving us, that so the numerous Party of Honest Trading men of this vast Body may be no longer discouraged in their Industry, or cramp'd in their Loyalty by the Artifices of those who meditate our Ruine.

Upon this humble Representation of our sense in the Premisses, we pray that this Honorable Court will take some effectual course for the Suppression of all the Conventicles in this Borough; and exercise its utmost Authority in order to increase the Number, and strengthen the Interest of his Majesties Loyal Subjects among us.

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*London*, Printed for *Benj. Tooke* at the Ship in S. *Paul*'s Church-yard, 1683.

London
K. Misc. Collect.
Sessions, Old Bailey



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THE TRUE

# NARRATIVE

OF THE

# PROCEEDINGS

AT

# The Sessions-House

IN THE

# OLD-BAYLY

515. L. 2.
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Which began on *Monday* the 16th of this instant *January* and ended on *Tuesday* the 17th following.

Giving an account of most of the Remarkable Trials there, *viz*, For Murder, Fellonies, and Burglaries, &c. with a particular Relation of their Names, and the places of their committing their Facts, with the number of those Condemned to die, Burn'd in the Hand, Transported and to be whipt.

AT this Sessions of *Oyer* and *Terminer*, began and ended as aforesaid the most remarkable Tryals and proceedings were as followeth,

*Rowland St. Johns*, was indicted for Murthering *John Stiles* Esquire, a Gentleman of *Lincolns Inn*, the which upon Evidence appeared to be thus, The party deceased and the Prisoner being intimate Acquaintance, and often keeping Company together, on the 7th of *December* last happened to meet, and after having been at several Taverns, at last came to *Richards* Coffe-House near *Temple-Bar*, where laying a trivial wager about measuring two Dishes of *Chockalet*, they afterwards went to the St: *Johns-H* in *Chancery-Lane*,

*Lane*, to drink it, where falling at ſome difference about paying their Reckoning, they came from thence to the *Kings-Head* Alehouſe, and there not well agreeing, from thence they went to the three *Cranes*, and coming into the Company of ſome Gentlemen that kept a Club there, they offered to refer their differences to them; but they finding them both in Drink, and that ſome words had paſſed between them, all but one Gentleman left them, when after two or three haſty words paſſing between them, the deceaſed laid his hand upon his Sword, which occaſioned the other to draw, and whilſt the Gentlemen that were in their Company, went down to call for help to part them, the Priſoner had run the deceaſed in two Inches under the Left Pap, of which in three days he dyed, but there being no former Grudg nor premeditated Malice proved, notwithſtanding three Indictments were laid, one for wilful Murder, one upon the Corroners Inqueſt, and one upon the Statute of Stabbing, yet he was found Guilty of Manſlaughter only.

*Elizabeth White*, *Ann Dixon* and *Joyce Cove*, were Indicted, the firſt as principle, for Robing the Shop of *John Crook* in *Soho* Fields on the 23d of *December* laſt: of Ribon, Silk-Stockings, Gloves, Silks, Laces and other things, to a conſiderable value; and the two laſt as Acceſſaries in receiving the Goods, upon which, the principle having confeſſed, not only that, but another Robery, and the Goods upon ſearch found in the Houſes of the acceſſaries; whereupon they were all three found Guilty, as likewiſe *Elizabeth Sims*, another of the ſame Gang, for ſtealing Bands, Hoods and Table-Linnen, from *William Greſham* on the 1ſt inſtant.

*Robert Huckle* was Indicted and took his Trial, for that he, together with one *Jane Rand*, ſervant to Mr. *Bethel* in *Cornhil*, on the 4th of *December* laſt, Robed the ſaid Mr. *Bethel* of three Diamond Rings, two Silver Tankards, ſix Silver Spoons, ten pieces of old Gold, eighty Guinies, and ſuch other Goods of value, as amounted to 300 pounds, The Maid confeſſed the Robery, and accuſed the ſaid *Huckle*, who not being able to give any good Account for himſelf, was brought in Guilty.

*Thomas Knight* was Indicted for killing one Mr. *Willer*, a Life-Guardman on the 10th of *December* laſt, a little on this ſide *Chelſey*, the manner according to Evidence thus, the deceaſed drinking at a Houſe in the Road, and ſeeing the Priſoner who was a Foot-Soldier coming by, called him to drink with him, and after ſome time, they went to wreſtling, which occaſioned a Quarrel, whereupon the Priſoner withdrew into the Houſe, and ſtaying there ſome time came out again as he alleaged, to have gon his ways, but the deceaſed following him with his Sword drawn, and giving him ſeveral Cuts, he drew likewiſe, and run the deceaſed in in two places of the Body, ſo that he inſtantly dy'd, the Priſoner pleaded, what he did, was in defence of his own Life upon which he was found Guilty of Manſlaughter only.

*William Motley* a notorious Offendor, who was brought from the *Marſhalſea*, having been burnt in the hand, was tryed, and found Guilty for ſtealing ſeveral parcels of Linnen and other Goods, from *Samuel Banfield* in *Holbourn*.

*Elizabeth*

*Elizabeth Wollman* of St. *Martins* in the Fields, was Indicted for killing *John Bret* her Husbands Apprentice, the manner of the Murther as it was ſworn to in Court, being thus, ſhe being at an Alehouſe that joyned to her Houſe, ſaw the deceaſed playing with her Son, and throwing an empty Bag at him, and miſſing him, flew out at the dore, upon which, being over powered with Drink, ſhe went home in a Rage, and getting up a Broom-ſtick, fell upon the Youth, who took it away from her, upon which, after ſome time, ſhe took up a ſmall Carving Chizel, and ſtruck it into his Breſt, ſaying, ſhe knew ſhe ſhould be hang'd for him one time or other, and ſeemed not to be ſorry for what ſhe had done, but rather rejoyced, being ſo far transported with Rage, that ſhe threw another Chizel at him, and cut his Arm, upon this wound received, the Youth got down Stairs, and went to the next houſe, where he inſtantly dyed! She pleaded that he gave her ſawcy Language, but that not appearing in Court, ſhe was found Guilty of wilful Murther.

*Elizabeth Scot* was Indicted for ſtealing Plate, to the value of 30 pounds on the 10 of *December*, from Mr. *Comiſſary* of *Algate*-Pariſh, which was evidently pro[illegible] againſt her, ſhe being taken with it in her Lap, upon which, ſhe [illegible]eaded, that ſhe had been drinking, and knew not what ſhe did, but that ſerved not her turn, for ſhe was found Guilty.

*Humphry Bennet* was found Guilty, for Robing *William Sellwood* of a Hat, Cravat, and other things upon the Highway, on the ſecond of this inſtant, the Cravat being found in his Breeches.

*John Johnſon* and *William Aſhurſt* were indicted for killing *Lucy Cook* with a Cart, in the Pariſh of St. *Giles Cripplegate*, on the 10th of *December*, the Evidence depoſing, that ſhe croſſing of the Horſes, one of them ſtruck her down, and thereupon the wheele went over her Head, of which wound ſhe inſtantly dyed, but it being adjudged Chance Medly, the Priſoners were acquitted, yet received a ſevere Reprehand from the Court, for their careleſneſs.

*Charles Cockhill* was indicted for ſtealing Leather out of *Leaden-Hall*, which being taken upon him, he confeſſed the Fellony, ſaying a Cobler ſet him on work, and gave him a ſhilling to do it, upon which he was found Guilty.

*John Smith* was Indicted for ſtealing a Carpet, Cupboard Linnen, and other things, on the 10th of *December* from *John Pordy* of *Stepny*, but the things being thrown down, and the Witneſſes not able to ſwear they ſee him take them, he was acquitted.

*George Emerton* was Indicted fot ſtealing a ſilver Tankard from the three *Black-Birds* in *Warwick* Lane, on the 12th of *January*, which being poſitively ſworn to he was found Guilty.

After the Court had been ſet a conſiderable time, Council moved for an Order to warrant the Sheriffs of *London* and *Middleſex* for the delivery of the Jeſuites in *Newgate*, who are Ordered by the King and Council, to be ſent to the *Scilly Iſlands*, but the Court returned for Anſwer, that they could grant no Order, the matter not being before them, but it was his Majeſties Pleaſure to Reprieve them, he might diſpoſe of them as he thought fit, and the Sheriffs muſt deliver them.

In

In Reply to which the Council cited a Preſident that had been uſed upon the like occaſion, and the Sheriffs ſaid they would be glad to be rid of them, ſo they might be ſaved harmleſs, but in concluſion my Lord Chief-Juſtice utterly refuſed to grant any Order.

*Clavel Cordwel* had an Indictment preferred againſt him, for Marrying a ſecond Wife, the firſt being yet alive, upon which, the Witneſs ſwearing in Court to both the Marriages, he was found Guilty.

*Alexander Younger*, being Indicted upon a Treſpaſs, for entring the Houſe of Mr. *Spencer* in Great St, *Bartholomews*, under pretence of ſearching for Prohibited Goods, took thence two ſilver Hilts of Swords, whereupon he was found Guilty, and fined ten Mark, and to continue in Priſon till next Seſſions, and from thence till the Fine be paid.

*Paul Rutter*, a French Chirurgion, or Doctor had an Indictment of Murther preferred againſt him, for poyſoning *Robert Morgan* of St. *Martins* in the Fields, about the Latter end of *November* laſt, which appeared in Court to be thus, The Priſoner keeping the deceaſeds wife from him, and uſing her at his Will, the deceaſed one Morning meeting him, they went to drink together, [illegible] treat about a Reconciliation, but after they had drank two pots, [illegible] deceaſed before he could get home finding himſelf extream Ill, concluded he was poyſoned, and to his laſt exclaimed, that the Doctor had poyſoned him for his Wife and Eſtate; after he was dead, being opened, ſeveral ſymptoms of Poiſon was found in his Stomack, yet the Jury being Engliſh and French, he was acquitted of the Murther.

*Katherine Tobie* was Indicted for ſtealing ſeveral pieces of Ribon, Luteſtring Hoods, Scarves, Peticoats, and other Goods, from one *Nicholas Gullet*, on the 5th of *January* of which upon the Teſtimony of the Witneſſes was found Guilty.

*Heſtar Lemar*, was Indicted for Robbing the Chamber of one *Mary Becks* in St. *Pauls Covent-Garden*, on the 19th of *December*, and taking thence two ſilver, Candleſticks, a Pearl Necklace, Spoons, Silver Plates, and other things, to the value of fifty pounds, but it not being fully proved againſt her, ſhe was acquitted, by reaſon of ſeveral French Proteſtants came in, and gave Evidence of her former Life and Converſation, ſhe being one of thoſe that fled the Perſecution,

*Margaret Hariſon*, was Indicted for Robing *John Wiſe* of St. *Giles* in the Fields, on the 10th of *December*, of Petticoats, Hoods and Linnen to a conſiderable value, her Plea was, ſhe took them with an intent to bring them again, but that excuſed her not, for ſhe was found Guilty.

Seven or eight were Indicted for Recuſancy.

There were in all ſeven perſons Condemned to dye, *viz. William Bennet*, *Martha Huckle*, *Ann Dixon*, *Joyce Cove*, *Elizabeth White*, *Elizabeth Scot*, and *Elizabeth Croſsman*. Eight burn'd in the Hand, Five to be whip'd, and three to be Tranſported.

*LONDON* Printed, by *D. Mallet*. 1682.

575. l. 2.
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A TRUE

# ACCOUNT

Of the Horrid and Barbarous Murther

OF

# Thomas Thynn Esq;

On SUNDAY the Twelfth of this instant *February*,

IN THE

# PALL-MALL,

About Eight of the Clock in the Evening.

## With the manner of taking the Bloody and Inhumane MURTHERERS.

OF all Crimes, Treacherous and Unmanly Murther is one of the most Horrid and unnatural; and of all those numerous Murthers which this Licentious Age hath abounded with, I think none more surprising and detestable, impudent and audacious, than this ensuing Relation gives you an Account so, which was as follows.

On Sunday being the Twelfth instant, *Thomas Thynne* Esq; having the Duke of *Monmouth* in his Coach, they went togegether to several places, and about Eight of the Clock in the Evening, Mr. *Thynn* having set down the Duke of *Monmouth* somewhere about the *Pall-Mall*, (as it is reported, it was at Sir *William Poultnies*) was returning home, and just as he came between *St. Albans-street* and *Suffolk-street*, there came Three Men well Mounted, Riding very hard up to the Coach-side,

and Diſcharged a Blunderbuſs, or ſome ſuch like piece at him, and lodged Six Bullets in his Belly; which they no ſooner had done, but immediately they ſet ſpurs to their Horſes, and fled towards *Piccadilly*, crying *A Race, a Race.* The Footmen that were behind the Coach purſued them, and by crying out Murther, Murther, raiſed the people; and the D. of *Monmouth* with divers other Gentlemen, ſpent the whole night in purſuit after them, but to no purpoſe: for by the goodneſs of their Horſes they got away, and could not be found by the purſuers: but this Morning a Chair-man hearing of it, went to the Duke of *Monmouth*, and acquainted him, that on Sunday in the Afternoon he took up an Outlandiſh man at *White-hall-gate*, and carried him to a Tavern, where he went in, and becauſe he did not pay him when he ſet him down, nor returned to pay, he went to him to know whether he ſhould wait for him, and that there he found two other Gentlemen with him charging of Piſtols. Upon this Information there were ſome Officers ſent with the Chare-man to this Tavern, where the Vintner confirmed what the Chair-man ſaid; and added moreover, that they hired Three Horſes of him, but who they were, or where they lodged he could not tell; but going along with the Officer in ſearch after them, he met one of the Foot-men that waited upon them, whereupon he cauſed him to be ſeiſed and carried before a Juſtice of the Peace in *Leiceſter-fields*, before whom, upon Examination, he confeſſed that he was at the Tavern with ſuch Gentlemen, and a Piſtol being ſhewn him that was taken up in the ſtreet, near the place where the Murther was committed, he acknowledged it to be his Maſters, and that his Maſter lodged at the Two Golden Balls in *Leiceſter-fields*. Immediately ſome Officers were ſent to apprehend him, which was done accordingly, and after the other two, and ſome others that were acceſſary to it, though not actually engaged in it. There are Five taken in all, being all Forreigners, and we cannot learn that there is any Engliſhman concerned in it. This Morning about Eleven of the Clock, they were carried before the King and Council, where they acknowledged the Fact. He that Shot him is ſaid to be a *Polander*, and when the Council inquired why he did it, he anſwered his Captain Commanded him to do it, and he that would refuſe to obey his Captains Command, was not worthy to live.

*LONDON*: Printed for *R. Baldwin.* 1682.

# Slingisby Bethell, Esq;

## HIS

# ENQUIRY

## AFTER

# WILLIAM BALY,

The only WITNESS against him, upon the TRYAL of the RIOT, at *GUILD-HALL*, on the 8th of *May*, 1683.

WHereas on *Tuesday* the 8th of *May*, 1683. At a Tryal held at *Guild-Hall London*, Several persons were by a Jury found Guilty of a Riot, committed on the 24th of *June*, 1682. In not departing from the said Hall, upon the Lord Mayor his adjourning there by Proclaimation, the Pole, which was then on Foot, for the choise of Sheriffs for *London* and *Middlesex* for the year ensuing.

And Whereas *Slingisby Bethell* of *London*, Esq; is named in the Information as guilty of the said Riot, in not departing from *Guild-Hall*, after the Lord Mayor his said adjournment by Proclaimation; And whereas upon the Oath of one, by the name of *William Baly*, that the said *Bethell* did not depart according to the Proclaimation, but stayed there after the same, he was found guilty by the said Jury. Now the said *Bethell*, not only knowing himself not guilty, but being also able to prove the same, and by several credible Witnesses, that he was at the time of the Adjornement in another place, and from thence went home, without ever coming at *Guild-Hall* or the Yard that Evening, hath endeavoured by all manner of ways to find out the said *William Baly* who swore against him, but cannot learn from whence he came, nor whither he is gone; he the said *Bethell*, doth therefore hereby Challenge the said *William Baly* to appear, and either to make good his

his Oath againſt him in the Face of the World, or confeſs his miſtake, and clear him thereof; and in order thereunto, to leave word where he is to be found, either at the Houſe called *Garraways Coffee-Houſe* in the *Exchange-Ally*, or at *Kid's Coffee-Houſe*, both near the *Royal-Exchange*; otherwiſe the ſaid *Bethell* will hope to be reckoned guiltleſs, and the ſaid *William Baly* to have raſhly ſworn that which he was miſtaken in, and cannot Juſtifie.

And now upon the whole, it may be obſerved, that there being at the aforeſaid Adjournment (as is thought) at leaſt One thouſand perſons in the Hall, whereof ſeveral Hundreds of them, may well be ſuppoſed to know the perſon of the ſaid *Bethell*, eſpecially the Lord Mayors Officers, and Servants, by his having been lately Sheriff of *London* and *Middleſex*: If he the ſaid *Bethell* had been really in the Hall or Yard, at, or after the ſaid adjournment, there could not have wanted a Croud of Witneſſes to prove the ſame, inſtead of having the Proof thereof, to depend upon the Teſtimony of a Single perſon, that is not to be found.

*SLINGISBY BETHELL.*

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*LONDON:*

Printed, by *J. Grantham*, *Anno. Dom.* 1683.

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THE TRUE

# NARRATIVE

OF THE

# PROCEEDINGS

AT

# The Sessions House

IN THE

# OLD BAYLY

which began on *Thursday* the 24th of this Instant *May* and ended on *Thursday* the 24th following;

Giving an Account of most of the Remarkable Trials there, *viz.* For Murder Fellonies and Burglaries, *&c.* with a particular Relation of their Names and the places of their commiting their Facts, and th number of those Condemned to die, Burn'd in the Hand, Transported and to be whipt.

*Entered according to ORDER*

THE Proceedings at the Sessions of *Oyer* and *Terminer*, holden at the Sessions-House in the *Old-Baly* for the City of *London* and County of *Middlesex*, which began on the 24th. of *May*, and ended the same of the same Instant were these *Peter Anderson*, was try'd upon two Indictments, for Robing *Samuel Blackburn*, and *Samuel Newton*, on the High-way the 16th. of *April* last, near *Bow*, the Circumstances appearing thus. *Viz.* the Prosecutor traviling late, were in a lonely place, set upon by the Prisoner, & three more of his accomplices, who carryed them into a Field adjoyning to the Road, and there riffled them, taking from the former, a Coat, a Sword, and a pair of Frienged Gloves, and from the latter his Coat, Sword, Belt, Rings, Buckles, and twelve Shillings in Mony. This being sworn, the Prisoner utterly deny'd the Fact, saying that he was at home in Bed at that time the robery was said to be done, but he

not being able to prove it, nor give any good account for himſelf, he was found Guilty upon both Indictments.

*John Edgerly* was tryed for killing *William Stephenſon*, on the 12th of *May*. in the Parish of St. *Paul*, *Shadwell*, the manner thus, the deceaſed having a Piſtol loaden in his hand; and being about to deliver it to the Priſoner, ere he well had it in his hand, the Cock at half bent went down, and the Piſtol thereupon going off, the Butt ſtruck the deceaſed on the Head, of which wound the next day he died, But no malice nor any colour of intention in the Priſoner to diſcharge the Piſtol, the Jury found it Chance Medlie.

*Chriſtopher Gage*, was tryed for ſtealing four Leaden half-hundred weights from *Edward Porril* in little *Alhallows* on the 20th of *April* laſt who upon his Examination confeſſed the ſtealing of three of them, and that he ſold them to a *Platerer* near *Temple-Bar*, whereupon he was found Guilty.

*John Buttler*, was tryed for ſtealing a *Beaver-Hat*, a Sword, and Belt, *&c.* from *John Smart*, in the Pariſh of *Alhallows Barking* on the 4th. of this Inſtant *May* the Sword and Belt he confeſſed to have taken, but withal aledged that he was drunk and took them with no ill deſign the Felſony being apparent he was found Guilty.

*Henry Caſtelport*, and *Thomas Williamſon*, were tryed for ſtealing a Coat from an unknown perſon, they being proſecuted by a Broker, where they offered it to Sale, but they bought it, and no Evidence appearing that it was ſtole, they were acquitted

*Mary Philips*, was Indicted and Tryed as Acceſſary to a Felony committed by *John Parkeſon*. *Viz.* the latter having ſtolen a Sute of Cloaths, a Campaign Coat, Linen and other things of vallue from one Mr. *Wood*, ſold the ſame or diuers of them to the Priſoner at under rates, which goods ſo ſold were afterwards upon ſearch, found in the Priſoners houſe, hid amongſt ſeveral rags and were at firſt denyed by her, whichbred a ſuſpition, ſhe came not honeſtly by them, yet ſhe pleading that ſhe bought them, not knowing they were ſtole and endeavoured to apprehend the party ſhe bought them off, bring ſeveral to teſtifie that ſhe did not uſe to purchaſe ſtolen goods, ſhe was found not Guilty.

*Iſabel Barker*, was Indicted, for that ſhe did convert her dwelling houſe in *Mors-Laxe* into a common Baudy houſe, ſuffering Lude Licentious people to commit carnal wickedneſs in a debauched way to which ſhe pleaded not Guilty, whereupon the Evidence againſt her were produced, amongſt which was a Woman that gave Evidence that ſhe caught her husband there with a lude woman juſt coming out of the bed from her, and that afterward the Priſoner took a Chamber in a private place, to prevent diſcovery, and much to the ſame Effect ſwore to which ſhe pleaded that ſhe new no other than that they were man and wife, and that as to the Chamber taken in a diſtant

place

place it was at requeſt of the woman that had been nought with the womans husband to prevent his finding her out, ſhe alſo brought ſeveral to teſtifie her life and converſation, that ſhe uſed honeſt industry for her living, and it being the opinion of the Court that one Act if it had been with her conſent, did not render her liable to to the Statute, made for the prevention of ſuch lude Coarſes, but that ſhe muſt keep a common baudy houſe, to entetain all comers and goers ſo that in the end ſhe was acquitted, upon giviug ſurety's for her good behaviour for the futer.

*William Hidſon*, of the Pariſh of St. Botolphs Biſhops-gate, and *Mary* his wife were indicted for recuſants for that they being above the Age of 16 years, hid not by the ſpace one Month repaired to their Pariſh Church, or to any other Church or Chaple, or heard Divine Service according to the form of the Church of *England*, and they not appearing Proclamation was made that if by the next Goal delivery they rendered not up their body to the Sheriffs of *London*, their Lands, Goods, and Chatles, ſhould be ſeized to the behoof of the King as the Statute in that has provided.

*William Tindal* was Tryed for killing *Thomas Miller* near to the Muſe on the 14. of this inſtant May the manner thus the deceaſed having information given that Mr. *Tindal* had Spoak ſcurilous words of him he reſolued to take Satiſfation for the abuſe and thereupon on the day aforesaid Contrary to the perſwaſions of his friends he went with a ſtick and ſword to find him which at laſt he did, and bid him draw, yet here fuſed and with his ſtick defended himſelf. ſtill retiring till in the end finding himſelf hard preſſed and his Life in danger he drew and ſtood upon his gard ſo that after ſome paſſes the deceaſed receiued a wound under the left pap the depth of 4 Inches of which with in an houer ſpace he died but no mallice appearing on the part of the priſoner and that what he did he was forced to for the preſervation of his one Life the Jury returned their verdict ſee defendendo.

*Suſanna Morgan* was tryed for Robing the the houſe of *Charles Butler* of St. *Giles* in the filds with whom ſhe lived in the nature of a ſervaut on the 4. Of this inſtant, taking away ſerveral rings aprons ſtockings ſcarfs hods Linnen &c: part of which was upon tryal proved to be found in Cuſtodie ſhe did not deny but ſhe had them yet alledged that ſhe ſtole them not but they were delivered to her by a nurſt that kept the wife of the proſecutor but the Evidence being plain upon her ſhe was was found Guilty of a pety *L*arcenary,

*James Willſon* was Tryed upon an indictmet, for ſtealing a Cloak at Himpſted on the 13 inſtant from *Philip Froud Eſq.* which upon inquiry was found where he had diſpoſed of it and he not greatly denying the fact was found Guilty,

*Charls*

*Charles ſtockery* and *Sarah Carter* were Tryed for ſtealing a ſheet valued at 5. ſhillings out of the houſe of *Elizabat ſhipton* of Clarkenwell on the 14th of *May* inſtant but there being no poſſtiue proof.

Sarah ſtephens was Tryed fot picking the Pocket of *Nathaniel* Berry in the pariſh of St. *Brides* the manner thus the proſecuter finding the priſones ſtanding at a dore ſhe deſired him to walk in which he did and called for drink after which being abovt to pay his recning fonnd his mouy gon but ſhe ſoon after being apprekhended and now brought up on her Tryal he could not ſwere poſitiuely ſhe was the woman whereupon ſhe was aquitted.

There were ſeveral preſentments made againſt diſſenting Miniſters, and other diſſenter.

At this Seſſion *Peter Anderſon* Received Senrence of Death, for Robing upon the High-way. And one *Samuel Lamber*, who was condemned the laſt Seſſions for Horſeſtealing, and till this time repreived, ordered to be Execuupon his former Sentence, for that he attempted to break Goal.

*Chriſtopher Gage*, wes burnt in the hand *John Buttler*, ordered to be Tranſported *James Willſon*, and *Suſanah Morgan* ſentenced to be whiped, and ſo ended theSeſſions.

LONDON Printed for L. *Curtis*. 1683.

A moſt horrid and bloody

# MURTHER COMMITED AT ISLINGTON In the COUNTY OF MIDDLESEX

On Saturday the 7th of Inſtant *July* 1683. by Four Foot-padders whereof two are taken whoſe names are *Thomas Wilſon* and *Neal Johnſon*, the laſt being the man that committed the murther upon the body of the deceaſed; who dyed of his wounds, in the ſpace of five hours notwithſtanding all meanes uſed to the contrary

IT is not the ſeverity of our wholeſome Laws here in *England*, that can deter or hinder the wicked projects, & evil deſigns of ill diſpoſed Villains, and bloody minded Ruffians, who to effect their damned cruelties, ſpare not to perpetrate their wickedneſſes even to their utter Ruins, and ſhameful overthrows, as you may ſee by the Subſequent lines of this Tragical Story lately Acted at *Iſlington*, by the bloody hands of ſome inconſiderate butcherly Raſcalls, who loathing

loathing and abhorring the pains and labours of gaining their Lively-hoods by the ſweat of their brows have now brought themſelves into ſuch a Labyrinth of unſpeakable Trouble, that it is thought they will pay dear-ly for.

But now I come to the matter. On *Saturday* Night laſt it being the 7th. of *July*, four Villains reſolved & fully bent on Robbery, with a Courage, animated by the Devil and his Council went out upon their wicked deſign, and coming near to *Iſlington* they perceived a Coach driving on, which they thought might yield them ſomething of a prize; ſo, Reſolutely, they ſet upon it, there being but one perſon in it, who contrary to their expectation gallantly reſiſted, inſo-much that they miſſed of their aims, and by ſome means or other the Neighbouring Town-people, were ſomewhat Alarm'd, and quickly came to the aſſiſtance of the aſſaulted; whereupon the Villains flew, but were purſued, and overtaken; whereupon the company of Padders were divided, two of them making their eſcapes, and the other two taken, but before they were taken, one of them, whoſe name was *Neal Johnſon*, let fly a Piſtol, at the Breſt, of a Gentlemans Servant, and ſo mortally wounded him, that notwithſtanding the diligent care that was taken of him he died about the ſpace of five hours after: one more was wounded in the diſpute being a man of known courage, and an inhabitant of the town aforeſaid, whoſe name is *Barnes*. But notwithſtanding their reſiſtence, ſuch was the courage of the Aſſailants, that they got the day of them, and ſo ſecured the two above named that they were had to cloſe Priſon in *Newgate*, on *Sunday* the 8th of *July* 1683.

But ſince we had information of what we have already recounted, we have met with a more particular account, which is that *Neal Johnſon*, and *Thomas Wilſon*, by the aſſiſtance of two more of their Companions, adventured to ſet upon the Coach, of one Madam *Gold*, between the Towns of *Holloway*, and *Iſlington*, and took from thence ſome ſmall matter of what value we are uncertain, and ſo made over Hedge, and Ditch towards *Iſlington*, where, by the *New-River* of the back of the Town, they were met by *John Barnes*, perhaps with one more with him. This *Barnes* ſeized one *Neal Johnſon*, who giving him ſome wound, though it is not thought Mortal, on his Breſt, for that preſent made his Eſcape. but being purſued cloſely by ſome of the Town, &c.

flight, by the deceaſed party, which finding *Neal Johnſon* pulled out a Piſtol and ſhot him in the breſt: But at laſt taken they were, and had before Juſtice *Heriot* of the ſame Town, who diſcreetly and carefully *Examined* them, and withal demanded the reaſon of their flight, to which this *Neal Johnſon* replied he knew the abovenamed *Barnes* to be a Bayliff, and therefore fearing that he had a Writ againſt him, took to his heels.

But this ſlender Evaſion was not enough to ſerve his turn, for he was found Tardy of the Murther, beſides the Evidence of a Gentleman paſſing by, who hearing of the Premiſſes, which are before Rehearſed, went to ſee them where his Eye was ſoon fixed upou this *Neal*, whom he partly knew to be one, who not long before had given Teſtimony of his *Life* & Converſation: but to be ſhort they were thought worthy of a ſafer place, and it was thought very neceſſary to ſecure them in the County Goa of *Middleſex* which is *Newgate*, where if they can they may have ſome time to repent; but it is reported that they were *Extraordinary* Confident, and ſeemed not in the leaſt meaſure to be daunted at their Commitment; and ſo we leave them them in their Chains, and Fetters, to repine at their impudence, which in a little time is ſuppoſed will be at a Period

And though they ſee how faſt the Priſons fill with Malefactors, yet will they go on in their wicked Reſolutions, till they are clearly paſt all hope of comfort, and finiſh their lamentable Ditty in the view, and preſence of thouſands of ſorrowful Spectators, who mourn to

ſee

ſee the Fatal Ends, and miſerable Concluſions they make of their miſpent time. It is ſad to conſider that ſo many warnings, as they have ſeen and heard of, are not, nor cannot be of more prevailency with them, but that muſt and will run the ſame courſe, till the diſpleaſed *Heavens* pour down Vengeance upon their miſ-guided Actions, and when it is too late, they mourn for their fatal Miſcarriages.

And I wiſh that all perſons would take warning by evil doers, ſo that their ſufferings may be a Diſcouragement to them, ever to undertake ſuch wicked & inhumane Actions, whoſe final ends are in ſhame and miſery, and concludewith woful and miſerable Deſtruction.

*LONDON Printed by E. Mallet.* 1683.

# AN ACCOUNT HOW THE Earl of Eſſex

Killed Himſelf in the

# Tower of London,

The 13*th.* of *July* 1683.

*As it appears by the Coroners Inqueſt, and the ſeveral Informations following.*

*LONDON:*
Printed by the Aſſigns of *John Bill* Deceas'd:
And by *Henry Hills*, and *Thomas Newcomb*,
Printers to the Kings moſt Excellent Majeſty, 1683.

THE Information of *Paul Bomeny*, Servant to the Earl of *Eſſex*, for about Three or Four Years now laſt paſt; taken upon Oath the Fourteenth Day of *July*, *Anno Regni Caroli Secundi Dei Gratia*, *Angliæ*, *Scotiæ*, *Franciæ & Hiberniæ Regis*, *Fidei Defenſoris*, &c. *Triceſimo Quinto*, *Annoq; Domini*, 1683.

Aith, That when my Lord came to Captain *Hawley*, which was the Eleventh Inſtant, my Lord of *Eſſex* asked him for a Pen-Knife to Pare his Nails, as he was wont to do; to which this Informant anſwered, Being come in haſte he had not brought it, but he would ſend for one, and accordingly ſent the Footman with a Note for ſeveral things for my Lord, amongſt which the Pen-Knife was inſerted; and the Footman went, and gave the Bill to my Lords Steward, who ſent the Proviſions, but not the Pen-Knife, and he told the Footman, He would get one the next day. When the Footman was come, my Lord asked, If the Pen-Knife was come? This Informant anſwered, No; but he ſhould have it the next day, and accordingly, he on the Twelfth Inſtant in the morning, before my Lord of *Eſſex* was up, this Informant ſent the Footman home with a Note to the Steward, in which, amongſt other things, he asked for a Pen-Knife for my Lord; and when the Footman was gone, about, or a little after Eight of the Clock, my Lord ſent one Mr. *Ruſſell*, his Warder, to this Informant, who came, and then he asked him, If the Pen-Knife was come? This Informant ſaid, No, my Lord, but I ſhall have it by and by; to which my Lord ſaid, That he ſhould bring him one of his Raſours, it would do as well; And then this Informant went and

fetched one, and gave it my Lord; Who then went to Pare his Nails, and then this Informant went out of the Room into the Paſſage by the Door, on *Friday* the Thirteenth Inſtant, and begun to talk with the Warder, and a little while after he went down Stairs; and ſoon after came the Footman with the Proviſions, and brought alſo a Pen-Knife, which this Informant put upon his Bed, and thought my Lord had no more need of it, becauſe he thought he had Pared his Nails; and then this Informant came up to my Lords Chamber, about Eight or Nine in the Forenoon on *Friday* the Thirteenth Inſtant, with a little Note from the Steward; but not finding his Lord in the Chamber, went to the Cloſe-ſtool Cloſet Door, and found it ſhut; And he thinking his Lord was buſie there, went down, and ſtaid a little, and came up again, thinking his Lord had been come out of the Cloſet; And finding him not in the Chamber, he knocked at the Door with his Finger, Thrice, and ſaid, My Lord? But no body anſwering, he took up the Hanging, and looking through the Chink, he ſaw blood, and a part of the Raſour; Whereupon he called the Warder, *Ruſſell*, and went down to call for help; and the ſaid *Ruſſell* puſhed the Door open, and there they ſaw my Lord of *Eſſex* all along the Floor, without a Periwig, and all full of blood, and the Raſour by him. And this Deponent further Depoſeth, That the Raſour now ſhewed to him, at the time of his Examination, is the ſame Raſour which he did bring to my Lord, and which did lye on the ground in the Cloſet, by my Lord.

*BOMENY.*

The

27

THE

# PROCEEDINGS

To Execution of the

515. L. 2.
68

# Sentence

Awarded against

Captain *Thomas Walcot*, *William Hone*, and *John Rouse*,

FOR

# High-Treason:

Who were, on *Fryday* the 10th. of this Instant *July*,

# Drawn, Hang'd, & Quarter'd

AT

# TYBURN,

For Conspiring the Death of the KING, and to raise War and Rebellion; in order to subvert the Government, &c.

Containing a Relation of what happened during their *Imprisonment*;

## As also their last Speech & Confession

At the Place of

# EXECUTION.

THomas Walcot, William Hone, and John Rouse, having been Actused to the King's most Honourable Privy Council, &c. by the Discoverers of the Plot, contrived, and carryed on against the Life of His Sacred Majesty; and upon Warrants issued out for that purpose, Apprehended they were, and on the 12th. of this Instant *July*, brought to the Sessions-House in the *Old-Bayly*, and there Arraigned upon an Indictment of High-Treason, found against them by the *Grand Jury* of *London*, for Conspiring, and Designing to compass the Death of the King, to raise War and Rebellion, and in order thereto, procuring and providing Arms; as Muskets, Blunderbusses, Pistols, &c. Whereupon they pleading not guilty, and putting themselves upon their Country, *Thomas Walcot* was ordered to look to his

Challenges

Challenges, in excepting against such of the Panil of Jurors, as he thought fit, to the number of a peremptory Challenge, which is 35; when having made acceptions against all such as any ways appertained to the Lieutenancy, at length a Jury of 12 Men were Sworn, and Charged with the Prisoner, to try the Issue between the King and him, in Case of his Life and Death. Whereupon Colonel *John Rumsey*, Mr. *West*, Mr. *Keeling*, Mr. *Bourn*, and others, Swore him to be present at divers Conspiracies, Consults, and Trayterous Contrivances, and that he was to Command a Party, to destroy the Guards, whilst others of his Accomplices, Assassinated the KING and Duke of of *York*, &c. In *February* last, at what time they were to return from *New-Market*, and that a Consult was held to inquire into the day of their return, and that they differed about the particular time, though they afterwards came to a Result, but were frustrated in their Bloody Design, by the Fire that happened at the place aforesaid. These and such like Contrivances and Conspiracies Sworn against *Walcot* and *Wil. Hone*, on *Fryday* following being the 13*th*. Instant, together with *John Rouse*, were Tryed for the like Treason, in Conspiring against the Life of His Majesty, Him to Death and final Destruction to put, *&c.* against whom the Kings Evidence deposed, First, that *Hone* had consented to be one of the intended Assassinates, and was to have a Sum of Money to buy him Furniture, as Horse and Arms, *&c.* and that he declared he was to be one that was to seize the Captain and Lieutenant; and at another time, That it would never be well with *England* till the *Black-Bird* and *Gold-finch* were knocked on the head, and that he by those Mysterious Expressions meant the King and Duke of *York*, according to his own Explanation. These and many more, were the Circumstances that occured upon this and the former Tryal; as also upon that of *John Rouse*, who was Tryed the same day upon an Indictment of High-Treason, in Conspiring against the Life of the King, *&c.* so that in the end they were after divers Arguments found Guilty, and the day following received Sentance to be Drawn, Hang'd, and Quarter'd, as the Law, in Case of Conviction for High-Treason, requires; when desiring their Friends might visit them, and time for Repentance be allowed, they were remanded to Prison, where, as Men sensible of the near approach of their dissolution, they continued, being often visited by their Friends and Relations, who came to condole and comfort them with seasonable admonitions to prepare for a future state, seeing their lives were forfeited to the Law, and that execution of the Sentence pronounced would not be long deferr'd; forasmuch as all hopes of Pardon was vanished; and whether a Reprieve for longer life would be granted to them, remained doubtful, the former and the latter remaining at the pleasure of His Majesty, whom they had so highly offended. Whereupon takeing the cordial advice of those that regarded their happiness (as to the life to come) seriously considered in what state they remained, and what a large account they were shortly to give before the dreadful Tribunal of all their actions; insomuch that at times that they were not molested with Visitants, their serious thoughts were for the most part imployed in confessing their sins, and begging pardon of God for their offences: during their abode in *Newgate*, the Sherriffs of *London* and *Middlesex* came to Visit them, and to perswade them to confess the truth of the Conspiracy as far as their knowledge would permit, as likewise divers other loyal persons; but they seemed much reserved, saying, That they had been drawn into disgrace, and consequently to an untimely end by giving too much credit to the words of some persons; and that it was now too late to retrieve what was past, but earnestly begged pardon of those they had offended: Captain *Walcot* seldom appeared publickly, but kept himself to his retirement, either Reading or Conversing with such Friends as came to visit him. *John Rouse* was often observed in busie, as is supposed Writing, but to what Effect remains yet uncertain, unless a Petition to humbly beseech his Majesty, that his dead Body might be restored to his Wife. *William Hone* was the most dejected, the fear of death, having almost stupified him; so that he was hardly induced to answer to the Questions demanded of him, by such as came to Examine him. This and such like being their Behaviour, till they had notice that the Warrant was Signed for their Execution, and that they must prepare to dye as this day, which heavy News they received with different passions, and continued as Men who expected no other than death, till the morning;

morning, at which time being put into Sledges, they were drawn to the place of Execution, attended by a ſtrong Guard of the Sheriffs Men, Hamlets, and Warders. About 10 in the Morning, *Thomas Walcot*, *John Rouſe*, and *William Hone*, were brought to *Tyburn*, the former in a Sledge by himſelf, and the 2 latter in another Sledge, when being unbound, they were helped into the Cart prepared for that purpoſe, and there for a while converſed with the Miniſters, who were Dr. *Cartwrite* and Mr. Ordinary, both of them perſwading them to make an Ingenious Confeſſion according to the beſt of their knowledge: whereupon Captain *Walcot* drew out two Papers and ſhewed them to the Miniſters and thoſe that were in the Cart, ſaying, That he had written them to Read publiquely, which when he was ordered to do, he, with a compoſed Countenance, did Audibly; the firſt was in nature of a Confeſſion of his Enormities to God, wherein he deſired forgiveneſs of his Sins; declaring, that he been a great Sinner, and for that cauſe God had ſuffered him to fall into thoſe Crimes that had rendred him worthy of death; deſiring God of his mercy to forgive him his manifold offences, and that all the world would forgive him whom he had offended, putting up divers Ejaculations, deſiring that he might be an Example to warn others from daring to attempt any Treaſonable Deſign or Conſpiracy againſt the Life of the King: After which, another Paper he held in his hand, ſometimes looking on it, and other times not, whilſt he was ſpeaking or making his Confeſſion to the people, declaring that he was Guilty of the Conſpiracy as to the knowledge thereof, and that he was drawn into the Conſpiracy by people that promiſed him great things, but that now he plainly perceived there was no Faith in Man: As to the matter of the Aſſaſſination, he confeſſed to have knowledge of it, and that he had been incited thereto by Evil-affected Perſons, whom he deſired God to forgive, praying that his and his Fellows preſent, might be the laſt Blood that might be ſhed upon the Occaſion of the Conſpiracy: He confeſſed he had been at divers Conſults, and that once and no more, to his remembrance, he had been in the company of two Lords, naming divers of the Perſons fled upon the Diſcovery of the Plot and Conſpiracy, ſaying, *They had drawn him unexpectedly into the miſchief, he having not long been arrived in* England, *and that too late he was Conſcious of his too much Credulity, which had brought him to his deſerved, though ſhameful and unexpected end; deſiring God to proſper and preſerve the King, or to this purpoſe.* He alſo ſaid, *That when the Conſpiracy was diſcovered, he was promiſed by ſome, who had drawn him into it, to be ſafely conveyed into* Holland; *and that when they had taken him, and were conveying him to Priſonward, they told him they deſigned to Ship him,* &c. And ſo continued with Penitential Tears, to bewail his Crimes, and unhappy end; but would not own that he was actually to kill the King, though he was to be aſſiſting therein, deſiring the people to obey, and in all Cordial ſincerity indear themſelves to His Majeſty, who well deſerved the love and tendereſt reſpect of his Subjects. This being the ſubſtance of *Walcots* Speech, *John Rouſe* began to make his Confeſſion, when having deſired God to forgive him his Sins, he confeſſed that he had been at divers Conſults, and that he was to have acted, but as to each particular he was ignorant; but that he had been privy to many Treaſonable Diſcoveries, tending to an Inſurrection or the like, deſiring God to forgive him his many Sins, which he ſaid had been multiplyed; but that he was above all, ſorrowful for offending againſt ſuch great Light, ſaying, The crys of a Wife and Children were the chiefeſt Inſtigations to make him ingage in the Wicked Deſign, of which he heartily repented, and for which he had juſtly deſerved to dye; declaring that he had been drawn into it by the Earl of *Shaftsbury* and others who were now fled; and that he did not, when firſt he entred into it, think the Deſign had any ways tended to the touching the Life of His Majeſty, or that the Conſpiracy would have arrived to the heigth it at laſt did; and continued to expreſs his ſorrow and Repentance for his being ſo long Conſcious of ſo Notorious a Wickedneſs, and not revealing it; which he Attributed to the fear of his own ſafety, by reaſon he had for ſome time paſt, been under evil Circumſtances, and been rendred Obnoxious to many perſons of known Loyalty. And in fine, he confeſſed moſt of the Charge, Evidenced againſt him at his Tryal in the *Old-Bayly*, on the 13*th.* Inſtant, grie-

vouſly

vously complaining against those that had drawn him into the mischievous Conspiracy, begging forgiveness of all he offended in thought or deed, desiring God to continue the King's Life, and long Reign, &c. *Hone* spoke little as to particulars, but in general confessed that he was guilty of the Conspiracy, and was to have been one of the number that was to have Assassinated the King, in his return from *New-Market*; and that *Goodenough* and others, had by many perswasions prevailed with him, to undertake what he did. He likewise confessed, he had told Mr. *West*, he had spoke with *Goodenough*, and related to him the measures that he was to take; saying, That he had agreed to be one in the Assassination, with divers other Circumstances, of which these are the most material; though indeed his discourse was but short, in respect to the two former.

The Confessions thus made, or as near as could be taken; thus, or to this Effect, the Ministers prayed with them, and sung a Psalm, after which, they severally desired to say a Prayer of themselves, which was granted: Captain *Walcot* being first, who prayed fervently, as being throughly sensible of his Offence, desiring the prayers of all good men. Next, *Hone* made a prayer, and afterwards *Rouse*, each of them seeming greatly to bewail the greatness of their Offences, asking forgiveness, especially of His Majesty, against whom they had so highly offended; when being asked what further they had to say, they only desired that God would forgive them, and that all people would take Example by them, and not be inticed, or perswaded to enterprize so great a Wickedness, as had brought them to ruin; Temporal though as they hoped God would accept of their late Repentance, and those that heard them, and beheld their untimely end, would take warning thereby, and avoid the like Temptations.

Thus, or to this Effect, they having confessed and declared, the Cart was drawn away, and after they had Hung three quarters of an hour, they were cut down, and Quartered one by one, their Bowels burnt, &c. According to the Sentance pronounced against them.

FINIS.

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# AN ACCOUNT

Of the Whole

# Proceedings at the Sessions,

Holden at the *Seſſions-Houſe* in the *Old-Baily*, for the City of *London*, County of *Middleſex*, &c.

*Which began on the twelfth of this Inſtant* July, *and ended the 16th. of the ſame.*

Giving a Particular Relation of the Tryals of divers *High-way-men*, *Clippers*, *Fellons*, *Traytors*, and *Conſpirators*, but more eſpecially of the Tryals of

*WILLIAM*, Lord *RUSSEL.*
*THOMAS WALCOT.*
*JOHN ROUSE.*
*WILLIAM HONE.*

Who were Tryed, and found Guilty, for Conſpiring againſt the Life of the King, and endeavouring the Subverſion of the Government, with the Sentence prouounced gainſt hem, *&c.*

Entered according to *ORDER*

AT this Seſſions, beginning the dayaboveſaid, Firſt in order, were Tryed *Thomas Wilſon*, and *James Johnſon*, upon three ſeveral Indictments; one for Robbing Eſq; *Hide* of *Highgate* on the Road, of divers Rings, Money, and other things, to the value of Eighty pound: Another for Robbing *Robert Abel* of a Watch, Rings, Money, a Coat, and other Things; And the laſt for Murthering one *George Evans*. The Evidence upon the Tryal, Swore to both the Indictments upon the Robbery, that the Priſoners were the Men that Robbed the Perſons aforeſaid, and that upon Search, the Buttons of the Coat, taken at that time, was found in *Johnſon*'s Lodging: As to the Murther, it appeared to be thus. The Townſmen of *Iſlington* having notice of the Robberies committed that way, layed the Ways, and in a ſhort time met the Priſoners, whom they ſuſpecting to be the Robbers, commanded them to ſurrender themſelves, which they refuſed, endeavouring to eſcape, and *Johnſon* finding himſelf hardly purſued, he with a Piſtol ſhot *Evans*, the Perſon that purſued him, of which Wound the next day he died: The Priſoners Pleaded Innocence as to the Robbery, but not being able to give any good Account of themſelves they were upon full Evidence found Guilty.

*Johnſon*

*John Mugleſtone*, *Roger Mugleſtone*, and *John Harris*, were tryed for Clipping the Currant Coine of this Kingdom, as *Elizabeth*, *James*, and *Charles* the *First*, *Halfe-Crowns*, *Shillings*, &c. The Evidence was, that the former of the Priſoners had at divers times been ſeen to Clip and File Money, and that he ſent a Youth to ſell divers quantities of melted Silver, with one of which Parcels being ſeized by the *Goldſmith* to whom he offered it, he confeſſed where he had it, upon which the Priſoners Houſe was ſearched, where divers Sheers, Melting-Pots, Files, and other ſuch like Inſtruments were found: As alſo, a conſiderable quantity of Clipped Money: As to the Second Perſon he was Brother to the former, and aſſiſting to him in his Defrauding Occupation; And againſt *Harris* it was Sworn, that he furniſhed the Priſoners with Money, and had ſix-pence in the Pound for Clipping, and that he had of a long time been of Confederacy with them; upon which, and ſundry other Circumſtances, as the Inſtruments being produced in Court, and the Bars of Melted Silver, and the like, the Jury found them all three guilty of the *High-Treaſon*, as in the *Indictment* layed.

This Seſſions *William* Lord *Ruſſel*, was Tryed upon an Indictment for *High-Treaſon*, for deſigning to Leavy War, and compaſs the Death of His Majeſty. The Evidence againſt him was the Lord *Howard*, Colonel *Shepherd* a Vintner in *Cornhill*, &c. who Depoſed, that he had been at divers Conſults in order to raiſe Rebellion and Leavy War, and a General Riſing throughout the Kingdom, and that a Declaration had been drawn to that purpoſe, and a Survey taken of the King's Guards at the *Savoy* and *Muſe*, in order to Surprize them, *&c.* So that after divers Arguments the Jury found him Guilty of the *High-Treaſon*.

*Thomas Wallcot*, *John Rouſe*, *William Hone*, and *William Blake*, were Tryed for Conſpiring againſt the Life of the King, and deſigning to Subvert the Government, and make a miſerable Slaughter amongſt the King's Subjects: As to the three former it plainly appeared, that they had been in divers Conſults about Killing the King and Duke in their Return from *New-Market*, that it was abſolutely concluded, and Arms for that purpoſe prepared, but that the Fire occaſioning the King's ſudden remove prevented it againſt the later. Evidence was given that he was to raiſe a pow'r of Seamen to ſeize on the Tower, and for that purpoſe had prepared Shipping to batter it from off the Water, and that divers Diſcourſes tending thereto had been by him uttered, but the main ſtreſs as to *Blake*, reſted upon one Evidence only, whereupon after Charge given, the Jury found the three former Guilty of *High-Treaſon*, and Acquitted the later.

*William* Lord *Ruſſel*, *Thomas Wallcot*, *John Rouſe*, and *William Hone*, being Convicted as aboveſaid, the King's Attorney General prayed Judgment againſt them, whereupon they were brought to the Bar, and asked what they had to ſay why Judgment ſhould not be awarded againſt them, *&c.* whereupon the *Lord Ruſſel* deſired to hear the Indictment read, which was allowed, and then made ſome Objections, that there was no proof againſt him of his actual deſigning to kill the King, only for Conſpiring to Leavy War, *&c.* but he was told that the Verdict was paſſed, and it now remained the Duty of the Court to paſs Sentence. *Hone*, *Wallcot*, and *Rouſe*, being asked what they could ſay, deſired that their Friends might have liberty to ſee them, and time to prepare for another World. Then Sentence was paſſed, as followeth, *viz.* That *they ſhould return to the place from whence they came, from thence be drawn to the Common place of Execution upon Hurdles, and there to be Hanged by the Necks, then cut down alive, their Priny-Members cut off, and* Bowels *taken out to be burnt before their Faces, their Heads to be ſevered from their* Bodies, *and their* Bodies *divided into four parts, to be diſpoſed of as the King ſhould think fit.*

*William*

*William Knowles* was Tryed, for that he the 20th of *June* broke open the houſe of *Phillip Stubb* in *Cornhill*, and took thence in Plate and Money, to the value of 50 pounds, which Robbery he before the Juſtice upon his being Apprehended, confeſſed to have thus effected, *viz.* That going up and finding the Key in the Chamber-door, he opened it, and broke open the Boxes with an Iron Skewer, and took out the Plate, Money, *&c.* ſome of which Plate upon proffer to Sale was ſtopped, and he Apprehended. This and other Evidence given againſt him he was found Guilty of the Felony.

*Francis Smith* of St. *Andrew's Holburn*, was Tryed upon an Indictment of *High-Treaſon*, for Clipping the Lawful Coin of this Kingdom, when by one Evidence it appeared that he had often with Shears and other Inſtruments Clipped, Filed, and Diminiſhed Half-Crowns, Shillings, Sixpences, and the like; but the other Witneſs not Swearing poſitive, but only by Circumſtances, the Priſoner was Acquitted.

*Jane Dodſon* an Old-woman, was Tryed for a Witch, it being Sworn againſt her, that ſhe uſed divers *Helliſh Arts* and *Inchantations* to deſtroy divers Perſons eſpecially that ſhe lamed and diſtorted by her Cunning in *Witchcraft* and *Sorcery*, one *Mary Palmer*, and killed another as the Evidence believed; but not making it appear what means ſhe uſed, or how the matter was brought about, and divers Perſons appearing to Teſtifie her Life and Converſation, ſhe was Acquitted.

*William Barret*, and *Elizabeth Attwell* were indicted for Robbing one Mr. *Cuttler* of *Hornzey* of 100 pounds in money, which Robbery *Barret* confeſſed, and declared that none but himſelf was concerned in the Robbery, whereupon the other was Acquitted.

*John Spittle* and one *Gratrick*, took their Tryals for Robbing one Mr. *Pitts* near *Mile-end* on the 9th of *May* laſt of a Watch, four Pounds in Money, Rings, a Silver-handled Knife and Fork, the which being poſitively ſworn againſt them by reaſon the Party Robbed knew them at the time of the Robbery, and therefore had narrowly Eſcaped with Life, and they proved Notorious Offendors, the Jury found them Guilty.

*Elizabeth Maſon* of the Pariſh of *St. Sepulchres*, was Tryed for ſtealing a Coat valued at Twenty ſhillings, from *Thomas Midwinter*, but it appearing that ſhe had it of his Maid Servant ſhe was Acquitted.

*Joſeph Brockly* was Indicted for ſeveral Parcels of Goods from one Mr. *Lowman*, to which upon his Arraignment he Pleaded the old *New-gate* Plea, *viz.* Guilty of that and all other Felonies within the Benefit of his Clergy.

*Richard Sinnel* was Indicted for Marrying a ſecond Wife during the Life of his firſt Wife, to which Indictment he pleaded Guilty, owning the Fact, which by Law is Felony.

*John Plumpton* was Tryed for Conveying away on the 10th of *June* divers pieces of Plate from *Edward Vile*, who intruſted him therewith, but it appearing they were delivered into his Cuſtody, it was not Felony, whereupon he was Acquitted.

*Francis Engliſh* an In-keeper, was Tryed for taking a Mare from one Mr. *Long* upon the Road, which Mare was afterward found in his Stable, but he alledging ſhe was brought in by a ſtranger, who the next day promiſed to call for her, and bringing divers to Atteſt where he was at the time the Robbery was Committed, the Jury Acquitted him.

*Margaret Nicolſon*, was Tryed for Clipping the Lawful Coin of this Kingdom, as Shillings, Half-Crowns, *&c.* which was firſt ſuſpected, as it was given in Evidence againſt her, by changing divers Clipped pieces of Money, and ſearching her houſe

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they found Files, Shears, and Rubbing-ſtones, which the Priſoner alledged were left there when ſhe came to the houſe, and there being no actual Clipping proved, ſhe was Acquitted.

*Margaret Chamberlain* was Tryed for ſtealing Knives, Canes, and Swords from one Mr. *Warradine* a Cutler, in St. *Martin's* in the Fields, the proof againſt her was, that part of the Goods were found about her, and that ſhe had ſold the reſt in divers places, to which ſhe Pleaded that they were delivered to her by a Woman ſhe met in *Holborn* by chance, but not being able to prove it, ſhe was found Guilty.

*George Jones*, was Arraigned for ſtealing 10 *l.* in Money numbered, from *Thomas Frind*, upon plain proof of which he was Convicted of the Felony, as likewiſe was *Joſeph Dumply* for ſtealing goods to a conſiderable value from one *John Roman*. *Jonathan Ball* was likewiſe Tryed and found Guilty for Robbing *John Croſs* of five Pounds in Money.

*John South* Eſq; took his Tryal for killing *William Atkinſon* in the Pariſh of St. *Andrew's Holborn*, on the 26. of *May* laſt, the Manner thus. The Priſoner and the Deceaſed in the Paſſage of a Yard in *Grays-Inn-Lane* drew upon each other, and after a Paſs, cloſed, and then falling off again departed to their reſpective Habitations, but the Deceaſed had firſt received a Wound in his Belly of which in a ſhort time he died; but no former Quarrel being proved, nor any Malicious Intent, the Priſoner was found Guilty of Man-ſlaughter only, and for ſtay of Burning in the hand, producing the King's Warrant, he was Diſmiſſed upon giving ſecurity to Appear the next Goal-Delivery: Bail was likewiſe taken for *William Blake* the Sea Captain, Tryed for *High-Treaſon*, and Acquitted as is aforeſaid.

*Iſabel Simms* was Tryed for Robbing *John Brown* of St. *Martin's*, of a Silver Tankard, 3 Silver Spoons, a Silver Salt, a Cup, and divers other pieces of Plate, to the value of 24 pounds, which Robbery, as the Witneſſes depoſed, ſhe confeſſed ſome time after her being Apprehended, and that ſhe was in the houſe a little before the Robbery was Committed, to inquire for a Lodger, whereupon ſhe was found Guilty.

*John Knot* was Tryed for ſtealing a Scarfe, a Hood, a Cornet, and other things from one Mr. *Parſons* on the third of *May* laſt, many of the things being afterward found where he had diſpoſed of them, upon which he was found Guilty.

*Benjamin Cooper* was Tryed for ſtealing a Silver Cup, a Silver Thimble, and other Plate to the value of 30 ſhillings from *Samuel Wadcot* of *Holborn*, on the 28 of *May* laſt, which Goods being proved to be taken upon him, he was found Guilty.

*Joſeph Mills* was Tryed for ſtealing Sheets, Plate, Money, Rings, and divers ſorts of wearing Linnen, to the value of 30 *l.* from *Jane Guttrell* of the Pariſh of St. *Martin's* in the Fields on the 26 of *June* laſt; the Evidence given againſt him was, that upon ſearch, a Purſe with divers Rings, owned by the Proſecutors, was found between the Bed and Mat in his Lodging Chamber, but there being no poſitive proof of the Felony, and he bringing divers to give the Court an account of his Life and Converſation, he was acquitted.

*Mary Grifith* was Tryed for ſtealing a ſilver Tankard from *Anne Ray* on the 22*d.* of *May* laſt, but the proof againſt her being weak, ſhe was acquitted.

*Anthony Sympſon* was Indicted and Tryed for Killing one *George Butler* on the 26*th.* of *May* laſt; as likewiſe were *John Scot* and *Samuel Godlygood*, for killing *Mary Edwards* on the 30*th* of *June* laſt, but the Evidence being but Circumſtantial, and not Poſitive, they were all 3 acquitted.

*Elizabeth Hall* was Tryed for ſtealing a Scarfe, an Apron, and divers other wearing Apparel from *Henry Taylor* of *Alderſgate* Pariſh, but the proof againſt her being deficient, ſhe was acquitted.

On *Saturday* the *Grand Jury* delivered an Adreſs in order to its being preſented to His Majeſty, expreſſing therein the Joy they conceive for the Preſervation of His Majeſties Sacred Perſon, and their juſt deteſtation and abhorrence of the deteſtable Conſpiracy lately carried on to Depoſe and Murther him and to Subvert the *Government*, &c.

This Seſſions, *William* Lord *Ruſſel*, *Thomas Walcot*, *John Rouſe* and *William Hone*, recived Sentence for *High-Treaſon* as Conſpirators, *John Muggleſtone*, *John Harris*, and *Roger Muggleſton*, were likewiſe Sentenced for High-Treaſon for *Clipping* and *Defacing the* Current Coin *of this* Kingdom, *Thomas Wilſon*, *Miles Johnſon*, *John Spittle*, *William Gratrix*, *Mary Chamberlaine*, and *Elizabeth Simmes*, were Sentenced for divers *Robberies* and *Fellonies*, theſe for *Treaſon* to be *Drawn*, *Hang'd*, and *Quartered*, and the others to be hanged only,

*George Jones*, *Richard*, *Simnel*, *Jonathan Ball*, and *Benjamin Cooper*, were Burnt in the hand, *John Knot*, *Will. Knowles*, *Joſeph Drumply*, and *Thomas Barret* ordered for *Tranſportation*, and ſo ended this Remarkable Seſſions.

*Advertiſements.*

THeſe are to give notice that notwithſtanding a ſhort Acco[unt] of *William* Lord *Ruſſel*, *Thomas Walcot*,

THE

# EXECUTION

AND

# CONFESSION

WITH THE

# Behaviour & Speeches

OF

Capt. *Thomas Walcot*, *William Hone*, and *John Rouſe*, who ac cording to the Sentence pronounced againſt them at the *Old-Bayley*, on the 12th Inſtant, were this 20th *July* Drawn, Hanged and Quartered, for Traytorouſly Conſpiring to Aſſaſſinate and Murther the King in his return from *New-Market*, and the Eſtabliſh'd Government to Subvert, *&c.*

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*Entred according to ORDER.*

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A Helliſh conſpiracy of divers wicked and deſperate perſons againſt the Kings Life and Government having been ſometime paſt diſcovered, upon the Iſſuing out of His Majeſties Proclamation, amongſt other Traytors and Conſpirators theſe, on whom Juſtice has deſervedly fixed Her ſevereſt mark, were apprehended, *viz.* *Thomas Walcot*, *William Hone* and *John Rouſe*, Men wholly bent to ſhed innocent Blood, and lay their Country waſte, not in the leaſt bogling to ingage themſelves ſolemnly to Murther the King, his Royal Brother, and after that, all ſuch as ſhould oppoſe their Monſtrous and Tyranical proceedings; but being

being prevented by Providence, even [illegible] all their pernicious devices vaniſhed into Air, and themſelves rendered [illegible]dful Examples to poſterity, and fully opened the eyes of ſuch as were [illegible] perſwaded, but this ſort of men were men of harmleſs principles [illegible] what had paſſed in the Days of *Ignoramus*, were but Shams to amuſe the people. But to particulars:

The Priſoners aforeſaid being in ſundry places apprehended, order was given for their Tryals at the Seſſions of *Oyer* and *Terminer*, holden at the *Seſſions-Houſe* in the *Old-Baley*, &c. where *Walcot* being Arraigned, Pleaded *Not Guilty* to his Indictment, in which were ſpecified the Treaſons of which he ſtood accuſed, as his deſigning the Murther of the King, and a miſerable ſlaughter of his Subjects, to leavy War and Rebellion, &c. whereupon the Evidence being called, the principal of which were Collonel *Rumſey*, Mr. *Weſt* and Mr. *Keeling*, who having declared the manner of the Conſpiracy, and to what intent it was carryed on, charged the Priſoner with being at divers Conſults, where the death of the King and the Duke of *York* were reſolved upon, and that upon their return from *New-market*; at what time *Walcot* was appointed with a Commanded Party to fall upon the Guards, whilſt *Rumbold* the Malſter was to Aſſaſſinate his Majeſty and Royal Highneſs, and others to Kill the Poſtillian, Coachman and Horſes, and that they ſtiled him the Engliſh *Gulin*, ſaying, he woud be ſuch when at the head of an Army. And it was further witneſſed againſt him, that he had provided himſelf Horſe and Arms, and went to take a view of *Rumbolds* Houſe near *Hodsdon*, and did approve of its commodiouſneſs for the perpetration of the Villany, which was to have been done whilſt an overthrown Cart had ſtopped His Majeſties Coach; and that the Priſoner was tempted to undertake the actual Aſſaſſination, but he refuſed it, ſaying, he would not kill a naked man, but would undertake Fighting the Guards. Theſe and other Treaſonable Conſpiracies being proved againſt him, and a Letter produced which he had ſent to Sir *Leoline Jenkins*, therein promiſing to make a more perfect diſcovery of the Helliſh deſign, both in *England* and *Ireland*, than what as he believed others were able to do, if he might thereby hope for any mercy at His Majeſties hands; as likewiſe an other Letter taken from him in Priſon, drawn up in order to be ſent to a Friend of his, to intreat Collonel *Rumſey* and Mr. *Weſt* to be favourable to him in their Evidence, he was found Guilty; and two days after, *viz.* on *Saturday* laſt received Sentence to be Drawn, Hanged and Quartered: At what time he only deſired that his Friends might be permitted to viſit him during his continuance in *Newgate*, which was allowed; and ſo, as a Man not ſeeming much concerned at what had befallen him, he was conveyed to the place from whence he came.

*William Hone* ſucceeding *Walcot* in taking his Tryal at the *Old-Baily* for conſpiring the Death of the King, Leavying War, and procuring Arms, with many treaſonable Expreſſions by him uttered, he at firſt denyed the Indictment in general, and pleaded *Not Guilty*; but better conſidering with himſelf, he deſired to retract that Plea, and plead *Guilty* as to the Conſpiracy againſt the Kings Life, but would not confeſs his procuring Arms; yet upon his Tryal, it was plainly proved that a Horſe and Arms were provided, and that he was to be one in the Aſſaſſination, that he had been at ſeveral traiterous conſults,

and

and malitiouſly ſpoken divers Treaſonable words, moſt of which he owned in Court, ſeeming greatly troubled that he had conſented to ſo great a Wickedneſs, declaring to God and the World, that *Richard Goodenough* had ſeduced him, and perſwaded him to enter into the Helliſh Conſpiracy, as alſo ſome others of the Conſpirators, by inſinuating the pretended grievances of the Nation, and laying before him the advantage that would accrue thereby.

*John Rouſe* this time failing of an *Ignoramus Jury*, having been upon his Tryal at the *Old Baley* found Guilty of divers Conſpiracies, and Trayterous Contrivances againſt the Life of His Majeſty, contrived and and committed, according as it was given in Evidence againſt him, both before and ſince his being a Priſoner in the *Tower*, was Sentenc'd for High-Treaſon, together with *Walcot* and *Hone*; the Sentence being, That they, and either of them ſhould return to the place from whence they came, and from thence be drawn upon Hurdles, or Sledges, to the place of Execution, and there be Hanged up by the Necks, then cut down alive, their Bowels taken out, and Privities cut off to be burnt before their Faces, their Heads cut off, and Quarters divided, *&c.* Upon which, *Rouſe* made a long Preamble about his being Innocent, as to many particulars, yet declared he was willing to ſubmit to the Law, *&c.*

The Tryals over, and Sentence as is ſpecified, they were carryed to *Newgate*, where, for the moſt part, they were kept aſſunder, yet had divers of their Friends came to viſit them, and many godly Miniſters to give them advice for their Souls health, laying before them the heinouſneſs of the Crime: and the rather, becacauſe they had ſinned againſt ſuch goodneſs, and agravated the Crime in Conſpiring againſt the Life of a Prince, under whom they did and might have Lived happily; but ſeeing Divine Juſtice had overtaken them, andno hopes of continuing long in this World, that they would bethink themſelves, and ſpend the few moments that were left them to the advantage of their Immortal Souls, and not through neglect render themſelves doubly wretched: To this and ſuch like Ghoſtly advice they were obſerved to be very attentive, eſpecially *Hone*, who expreſſed abundance of ſorrow for the greatneſs of his offence, ſaying, that by reaſon of his former Sins, and his refuſing to be reclaimed, God had ſuffered him to fall into this great Temptation, deſiring, the Prayers of all good men, ſaying that if he might Live, all the buſineſs of his Life would prove inſufficient to expiate ſo great a Crime.

*Walcot* and *Rouſe* appeared more retired and reſerved, the former ſeeming for the moſt part willfuly obſtinate or morоſs; yet in his countenance appeared a remorſe and regret for what he had Acted, ſeeming rather to confeſs then deny the horrid deſign, *&c.*

*Rouſe* was obſerved for the moſt part to be greatly dejected, often Lamenting his wretched ſtate; and thus continued theſe Miſcreants, whom Malice, hope of Gain or Preferment has brought to ruin and a fearful, though deſerved end, on this 20*th.* of *July*, on which day they were drawn upon Sledges to the place of Execution, where after they had expreſſed a ſorrow for the henious Conſpiracy, and treaſonable Crimes intended againſt the Life of the beſt of Kings, *&c.* and ſaid ſome ſhort Prayers, they ſuffered according to the Sentence aforeſaid.

The

The Executioner Imboweling and Quartering them, the Quarters we are informed are by His Majeſties Bounty reſtored to their Relations: And thus fell thoſe miſerable men the ſad Example of offended Juſtice, having brought themſelves to ſhameful ends, by deſigning the blackeſt of Crimes; but 'tis often apparent, that thoſe who act againſt the Lives of Sacred Kings, frequently fall into the Snare themſelves have laid, as it was obſerved by the inhumane Monſters that Trayterouſly, barbarouſly and Villainouſly Murthered His Majeſties Father of Bleſſed memory, and indeed in all Ages wherein ſuch wicked deſigns have taken Birth: For God has declared, *He that ſpils Mans Blood, by Man ſhall his Blood be ſpilt.* And certainly to contrive and deſign it by Helliſh and Diabolick Conſpiracies, is no leſs heinous in the ſight of the Juſt Creator: Therefore I hope this timely and moſt Miraculous diſcovery, together with the puniſhment inflicted upon the Traytors will prove a ſufficient warning to deter others from the like inhumane undertaking.

*FINIS.*

*LONDON:* Printed by *J. Grantham.* 1683.

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A TRUE ACCOUNT
OF THE
# CONFESSION
AND
Behaviour of the Three Late Notorious Traytors,
VIZ.
# Capt. Thomas Walcot,
# William Hone Joiner,
# John Rouſe.

## SINCE

*Their having received Sentence of Death on* Saturday July *the* 14th. *To be Hang'd, Drawn, and Quartered.*

As Alſo

The manner of their going to Execution, and their ſeveral acknowledgments of the Conſpiracy at *Tyburn* this preſent *Friday* the 20th of *July*, 1683.

A Preamble to a thing of this nature, is needleſs, ſince the notorious Crimes of which theſe wicked and unfortunate men have been ſo juſtly found Guilty, and ſentenc'd for, are ſo publickly known, and have been ſo often commented upon.

I ſhall therefore begin with Captain *William Walcot*, a Gentleman who has always appear'd againſt the preſent Government; and ever ſince his being taking notice of, has been known to be of the Principles and Opinions of the *Fifth-Monarchy-men*; who, though he was bleſt with a plentiful Eſtate, yet bigoted by the perſwaſion of their Teachers, That any thing may be done for advantage of Chriſts Kingdom, has more than once been concerned in Contrivances againſt the Government. He has, ſince his Condemnation, own'd his Sentence juſt, according to the Laws of the Land, and acknowledged, That there is hardly any thing charg'd upon him, but he was really concerned in; particularly, he confeſſed his having been at the Treaſonable Conſults, and ſaid, That if the Perſon of Quality (under the ſame Circumſtances with him) profeſſed himſelf Ignorant, and not concernd in this *Plot*, he was not that true Chriſtian, and man of Honour he pretended to be.

This

This ſaid Captain (like moſt Religious Enthuſiaſticks) at firſt refuſed the charitable Aſſiſtance of a Miniſter of the Church of *England*, but would have accepted of one of his own Perſwaſion: Yet, at laſt, permitted of a Divine of the Church of *England* to come to him; to whom he civilly behaved himſelf, and ſeemed ſatisfi'd with his Ghoſtly Comfort. He had, ſince his Sentence, ſome Debates with himſelf, Whether, as a Chriſtian, he was obliged to diſcover all he knew concerned in this Conſpiracy? But, *Caſuiſt* like, reſolved the Point, That he ought not.

*William Hone* carried himſelf, as might be expected from a man of his Quality. He confeſſed himſelf Guilty of being privy to the intended Murder of His Sacred Majeſty, but that he paid nothing towards the Matter. He was heartily Penitent for his having been engaged in this damnable Conſpiracy, and received the Aſſiſtance of thoſe charitable Divines that offer'd it to him.

*John Rouſe*, whom, one would have thought the old Proverb would have ſecur'd, (*Never catch a Bird twice in a ſnare*) behaved himſelf very reſerved, refuſing to anſwer to Enquirers; however expreſſed, That he hoped God would pardon all his Offences. As to this Conſpiracy, he ſaid he was perſwaded by thoſe he thought his Friends, to engage in't; and that he intended only to have taken an account of the Conſpiracy, and Perſons concerned, in order to make Diſcovery, but that the Witneſſes againſt him had been too quick for him.

Several Miniſters have been at Prayers this Morning with them, but the Captain minded little what they ſaid.

About Nine of the Clock this Morning, the three Priſoners aforeſaid were drawn from *Newgate* to *Tyburn*, on two Sledges. In the firſt, were *Hone* and *Rouſe*; in the ſecond, Capt. *Walcot*. They were Guarded by the Conſtables, Sheriffs, and their Officers, *&c.* The Bell not Tolling for them at St. *Sepulchres*, as is uſual in caſe of Felons, but not cuſtomary to wicked Traytors.

They behaved themſelves all along from *Newgate* to *Tyburn* agreeable to the Characters aforementioned. Captain *Walcot* ſeemed the moſt unconcerned. Two Miniſters went to *Tyburn*, to be ready to give them their heavenly Aſſiſtance: To whom they again repeated their Confeſſions of having been Guilty of what they were come to that place for, and exhorted all others to take care how they were by the ſly Inſinuations of wicked men drawn into thoſe horrid Practices; and ſo taking leave of their Relations, reſign'd themſelves to the fatal Sentence, *&c.*

The Hangman, after the uſual manner, turn'd the Priſoners off, and within half an hour Quartered them, their Quarters were brought to *Newgate*, to be diſpoſed of at His Majeſties pleaſure, and 'tis believed they will be ſet up on the ſeveral Gates of the City.

This fatal End of theſe deſperate Perſons, who (the Captain by his Eſtate, the others by their Trades and Employments) might have liv'd comfortably, and ſerv'd their King in the fear of God, yet driven by the inſtigations of the Devil, and forſaking their God, have engaged in this damnable Conſpiracy, ſo much againſt the ſenſe of Humanity, and the obligations of Nature, and have at laſt received the Reward due to all ſuch wicked and villainous Men.

*London*, Printed by *George Croom* in *Thames-ſtreet* over againſt *Baynards-Caſtle*, 1683.

# The PROCEEDINGS *against the* Lord RUSSEL, Upon His TRYAL for HIGH-TREASON,

At the Sessions-House in the *Old-Baily*, on the 13*th*. of this Instant *July*, for Conspiring against the Life of the *KING*, to Levy War and Rebellion, *&c.*

As also the Tryals of *William Hone*, the *Joyner*, *John Rouse*, and *William Blake*, For Conspiring the Death of the KING, *&c.*

AT the Sessions-House at the *Old-Bayly*, *William Hone* having been Yesterday Arraigned, and thereto Pleaded not Guilty, was brought this Day upon his Tryal, who before he was put upon the Jury, desired to Retract his former Plea of not Guilty, and to Plead Guilty, as to the Conspiracy, but would not own his procuring Arms, as in the Indictment was Specified; which Plea the Court refusing to approve, unless he would directly Plead Guilty to the whole Indictment, the Jury was Charged with him. And the Indictment Read, Importing that he not weighing his Duty and Allegiance, but as a false Traytor, had Conspired the King to depose from his Crown and Dignity, and him to Assassinate and Murther, to raise War and Rebellion, and to make a miserable Slaughter of His Majesties Subjects; and in order thereto he had procured Arms, as Blunderbusses, Musquets, Carbines, Pistols, and the like. The Indictment Read, the King's Council proceeded to open the Nature of the Fact, and Relate the danger of the Conspiracy, and of what Fatal Consequence it would have proved, if it had taken Effect: with many Particulars Relating to what Evidence was to be given against the Prisoner. After which, Mr. *Keeling* was Sworn, who deposed, that the Prisoner coming acquainted with him by the means of Mr. *Goodenough*, had at sundry times declared, that he was tempered with, to enter into the Conspiracy against the Life of the King, and that he was to be one in the intended Assassination of His Majesty; And that particularly he was at a Consult (as he verily believed) when the killing the Captain and Lieutenant was to be Hoped, or dispatched, by those, meaning the King and the Duke of *York*; and that once being with him at the *Flanders Coffee-House*, he declared, That it would never be well, till the Black-Bird and Gold-finch were knocked in the head, meaning the King and the Duke of *York*; And that in a Consult where the Assassination of His Majesty in his return from *New-Market*: when Mr. *West* being in Company, demanded how many Swans Quills, Goose Quills, and pair of Crow Quills, with Ink and Sand, were in a readiness? meaning thereby Blunderbusses, Musquets, Pistols, Powder, and Bullets, that he was to have; and that he was fully consenting to Imbark himself in the wicked Enterprize; and that a debate was held, what day the King was to return; and that divers Opinions thereupon happened amongst the Conspirators.

Mr. *West* being next Sworn, gave Evidence, That the Prisoner came to his Chamber in the *Temple*, and acquainted him, that he came from Mr. *Goodenough*, and that he had by his perswasion, consented to be one that was to Assassinate the King. And that it was further agreed by the Conspirators, that he should be furnished with Twenty Pounds, or thereabouts, to provide him Horse and Arms, and that he did procure Arms in order to the Design; with many other Particulars, Relating to the wicked Conspiracy. This Evidence given, Sir *Nicholas Butler* deposed, That the Prisoner had Related, or Confessed matter in Relation to the wicked Conspiracy, *&c.* after which the Evidence being summed up, the Jury without departing the Court, gave their Verdict, that he was guilty of *High-Treason*, as in the Indictment it was layed.

*Hone* Convicted as aforesaid, the Lord *Russel* was Arraigned, who thereupon desired longer time to prepare for his Tryal; but that not being allowed, he excepted against the Jurors, as not being Free-holders within the City of *London*, and thereupon desired Council to be assigned him, to debate it as matter of Law; which was granted, and Mr. *Rolleston*, *Mr. Hole*, and *Mr. Ward*, were assigned; whose opinions, after many Arguments between them and the Kings Council, were over-ruled by the Court; and thereupon

upon the Jury was called, of which the Prisoner Challenged about Thirty peremptorily, but Twelve being Sworn, the Indictment was Read, the substance of which being to this Effect. That he, *William Russel*, Esq; (for so was he stiled) together with *James* Duke of *Monmouth*, *Ford* Lord *Grey*, Sir *Thomas Armstrong*, *Ferguson*, &c. had Conspired to leavy War and Rebellion in the Kingdom of *England*, to compass the Death of His Majesty, and to make a miserable Slaughter amongst the Subjects of our Lord the King, *&c.* To this Indictment he having Pleaded not Guilty, Mr. *North* opened the matter of Fact, and was seconded by Mr. *Attorney General*, who at large, declared the hainousness of the Crime, which in Evidence, was to be given against the Noble Lord Prisoner at the Bar, which was also Insisted upon by Mr. *Solicitor General*. After which, Colonel *Rumsey* was Sworn, who deposed, That the Duke of *Monmouth*, the Lord *Russel*, Sir *Thomas Armstrong*, and divers others, being at one Mr. *Shepherds* a *Vintners*, in the Parish of St. *Nicholas Bristow*, he was sent to them by the Earl of *Shaftsbury*, to know what forwardness they were in, as to an Insurrection; to which he received Answer, That Mr. *Trenchard*, who had promised to raise 1000 Foot, and 4000 Horse, to be aiding in the Design, had certified them by a Letter, that he could not so soon Effect it, as was required; for that the persons he desired to leave to his Family, would not Rush upon a Design, e're they had provided for their Families, and that the Earl of *Shaftsbury* must be contented, at which the Earl seemed much disaffected. He further deposed, That divers Consults had been held, in order to the raising men in divers places, and that an Insurrection was to have been on the 19th. of *November*: and that he, *viz.* Colonel *Rumsey*, was to have been a Commander at *Bristol*, though in what Capacity was not nominated. And that it was agreed, That the Duke of *Monmouth*, the Lord *Grey*, and Sir *Thomas Armstrong*, should take a view of the Guards in the *Mews*, and at the *Savoy*, to see how they keep their Order.

After this, *Mr. Shepherd* the Vintner was Sworn; who deposed, That *Mr. Ferguson* came to him in the name of the Duke of *Monmouth*, and named divers persons that were to come to his House, desiring a private Room, which they had accordingly; and that the Prisoner was there, and at that time a discourse happened about an Insurrection; and a Declaration was Read, purporting to a Relation of the Grievances of the Nation, tending to a Rising, *&c.* And that another time the Company met, but that he was not positive whether the Prisoner was there then or no; but that there, as at first, they were very private, and came on foot, *&c.*

This depesition made, the Lord *Howard* of *Escrick* was Sworn, Who declared the whole Conspiracy at large from time to time, how the Plot was carryed on by the Earl of *Shaftsbury* in chief, and that he had declared his dissatisfaction in the coldness of the Duke of *Monmouth* and other *Lords* to joyn with him; and that he had 10000 Men in the City at his beck; and seeing things were so far advanced, he would cause the Design to be put in Execution: and that divers Messages passed between the Earl and the Lords in relation to putting off the design longer; which at last was from time to time put off, till the Earl, doubting his safety, fled into *Holland*, where he dyed; after which a Council of Six were constituted, who were the Duke of *Monmouth*, the Earl of *Essex*, the Lord *Russil*, the Lord *Howard* (the now Witness,) *Mr. Sidny*, and *Mr. Hambden* the younger, who were to determine all matters as to the Insurrection; and that they to his knowledge met at *Hambdens* House, and at the House of the Prisoner, to debate about carrying on the Design, and that *Aaron Smith* was sent into *Scotland* to perswade the Gentry to Rise. This, or to this effect, though more at large, was the Evidence. After which the Lord *Russel* called divers Evidences, some to declare what the Lord *Howard* had said concerning the Plot, in relation to him, before the said Lord *Howard* was taken Prisoner, and others for the most part Persons of Quality, to testifie his sincere life and Conversation. After which, the Kings Council summed up the Evidence, and the Court gave the Charge; when the *Jury* going out, after some consideration, brought him in Guilty of High-Treason.

This Tryal over, *John Rouse*, who was Yesterday Arraigned, came upon his Tryal, for Treasonably Conspiring to compass the Death of the King, to leavy War, raise Rebellion, *&c.* to which, upon this Arraignment, he Pleaded not Guilty; but the Charge being opened by the King's Council, the Witnesses for the King were Sworn, who deposed, That he, the Prisoner, had been at divers Consults, for the carrying on the Conspiracy against the Life of the King, to stir up the people to Sedition, and Rebellion; with divers other Treasonable Practises by him done, and approved of sundry times, and in divers places; and he not being capable by Witnesses to disproye it, the Charge given, the Jury found him Guilty of High-Treason.

Next *William Blake*, a Sea-Captain, was Tryed for Treasonable Conspiracy, and intending to compass the Life of the King; in order to which, he, according to the Evidence, had prepaired Shiping to Assault the *Tower*, and to batter it with Granadoes; and that in order thereto, he had consulted with *Richard Goodenough*, and divers other Conspirators; But the Proof being full, only by one Evidence, the other not swearing positive, or not to what amounted to Treason, and the Law; in Case of High-Treason, requiring Two positive Evidences, the Prisoner was found not Guilty.

*Printed for* Langley Curt[illegible] over Fleet-Bridge, 1683.

# AN ACCOUNT OF THE SENTANCE

That Paſſed upon

# William Ld. Ruſſell,

*Thomas Walcot*, *John Rouſe*, and *William Hone*, at the *Seſſions-Houſe* in the *Old-Bayley*, on the 14th of this Inſtant *July*, 1683, for High-Treaſon, in Traiterouſly Conſpiring the Death of the King, to Leavy War, and Raiſe a Rebellion, *&c.*

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*Entred according to ORDER.*

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*William* Lord *Ruſſel*, *Thomas Walcot*, *John Rouſe*, and *William Hone*, having been Convicted of High Treaſon, for Conſpithe Death of the King, *&c.* were this 14th of *July* brought into the Court to receive Sentance of Death; and the Lord *Ruſſell* being ſet before the Bar, the Clerk demanded (ſeeing he was found Guilty of High-Treaſon, and by the Law ought to dye) what he had to ſay, why Judgement ſhould not paſs againſt him, *&c.* To which he replyed, That he did not conceive a deſign to Leavy War was a direct intent to Murther the King, with which in the Indictment he was charged, and therefore deſired that his Indictment might be read, which was by the Court accordingly granted: After which he declared, that he had been informed, that Leavying

vying of War did not comprehend the killing of the King; to which the Court replyed, that the Verdict had passed, and that, both the Court and his Lordship were bound by Law to stand to, as not being in their power to alter; and that seeing it was the Kings pleasure to demand Judgement by his Attorney General, it was the part of the Court to give that Judgement as the Law had allotted for Crimes of that nature, desiring him to think of another state; and Mr. Attorney openly demanding Judgement, Mr. Recorder in the name of the Court pronounced the Sentance, That He *William Russell* Esq; should be lead to the place from whence he came, and from thence be drawn upon a Hurdle to the place of Execution, and there to be Hanged up by the Neck, then to be cut down alive, his Bowels to be taken out, and his Privy-Members to be cut off and burned before his Face, his Head to be severred from his Body, and his Body to be devided in Four quarters, and to be disposed of at the pleasure of the King: After which, his Lordship returned to *Newgate*.

Then *Thomas Wallcot*, *William Hone*, and *John Rouse* were set to the Bar, and in like manner demanded what they could say in stay of Execution? Upon which the two former, *viz. Wallcot* and *Hone* desired only that their Friend might come freely to visit them, which by the Court was granted; after which *Hone* desired time to Repent. The latter, *viz. Rouse*, made a long preamble, but to no purpose. After which, Mr. Recorder passed the same Sentance upon them as had passed upon the Lord *Russell*, earnestly admonishing, that as their Crimes were great, and of the highest nature, that so their Repentance might be accordingly.

Sentance passed, they returned from whence they came, to expect the just reward of their Treason.

*FINIS.*

*LONDON*: Printed by *J. Grantham*. 1683.

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# THE SPEECH

L. Russell (Lord W.)

Of the LATE

# Lord RUSSEL,

To the SHERIFFS:

Together with the PAPER deliver'd by him to them, at the Place of Execution, on *July* 21. 1683.

375. L. 2. 74

Mr. SHERIFF,

I Expected the Noiſe would be ſuch, that I could not be very well heard: I was never fond of much ſpeaking, much leſs now; Therefore I have ſet down in this Paper, all that I think fit to leave behind me. God knows how far I was always from Deſigns againſt the King's Perſon, or of altering the Government; and I ſtill pray for the Preſervation of both, and of the Proteſtant Religion.

I am told, that Captain *Walcot* has ſaid ſome things concerning my knowledg of the Plot: I know not whether the Report is true, or not; I hope it is not: For to my knowledg, I never ſaw him, or ſpake with him in my whole Life; and in the Words of a dying Man, I profeſs I know of no Plot, either againſt the King's Life, or the Government. But I have now done with this World, and am going to a better. I forgive all the World, and I thank God I die in Charity with all Men; and I wiſh all ſincere Proteſtants may love one another, and not make way for Popery by their Animoſities.

*The* PAPER *deliver'd to the* SHERIFFS.

I Thank God, I find my ſelf ſo compoſed and prepared for Death, and my Thoughts ſo fixed on another World, that I hope in God, I am now quite weaned from ſetting my Heart on this. Yet I cannot forbear ſpending ſome time now, in ſetting down in Writing a fuller Account of my Condition, to be left behind me, than I'll venture to ſay at the Place of Execution, in the Noiſe and Clutter that is like to be there. I bleſs God heartily for thoſe many Bleſſings, which he in his infinite Mercy has beſtowed upon me, through the whole Courſe of my Life: That I was born of worthy good Parents, and had the Advantages of a religious Education; which I have often thank'd God very heartily for, and look'd upon as an invaluable Bleſſing: For even when I minded it leaſt, it ſtill hung about me, and gave me checks, and has now for many Years ſo influenced and poſſeſſed me, that I feel the happy Effects of it in this my Extremity, in which I have been ſo wonderfully (I thank God) ſupported, that neither my Impriſonment, nor the Fear of Death, have been able to diſcompoſe me to any degree; but on the contrary, I have found the Aſſurances of the Love and Mercy of God, in and through my bleſ-

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ſed Redeemer, in whom only I truſt; and I do not queſtion, but that I am going to partake of that Fulneſs of Joy which is in his preſence, the hopes whereof does ſo wonderfully delight me, that I reckon this as the happieſt time of my Life, tho others may look upon it as the ſaddeſt.

I have lived, and now die of the Reformed Religion, a true and ſincere Proteſtant, and in the Communion of the Church of *England*, tho I could never yet comply with, or riſe up to all the heights of many People. I wiſh with all my Soul, all our unhappy Differences were removed, and that all ſincere Proteſtants would ſo far conſider the Danger of Popery, as to lay aſide their Heats, and agree againſt the Common Enemy; and that the Churchmen would be leſs ſevere, and the Diſſenters leſs ſcrupulous: For I think Bitterneſs and Perſecution are at all times bad, but much more now.

For Popery, I look on it as an Idolatrous and Bloody Religion; and therefore thought my ſelf bound, in my Station, to do all I could againſt it. And by that, I foreſaw I ſhould procure ſuch great Enemies to my ſelf, and ſo powerful Ones, that I have been now for ſome time expecting the worſt. And bleſſed be God, I fall by the Axe, and not by the Fiery Tryal. Yet, whatever Apprehenſions I had of Popery, and of my own ſevere and heavy ſhare I was like to have under it, when it ſhould prevail, I never had a Thought of doing any thing againſt it baſely, or inhumanly; but what could well conſiſt with the Chriſtian Religion, and the Laws and Liberties of this Kingdom. And I thank God, I have examin'd all my Actings in that Matter, with ſo great Care, that I can appeal to God Almighty, who knows my Heart, that I went on Sincerely, without being moved, either by Paſſion, By-End, or Ill-Deſign. I have always loved my Country much more than my Life; and never had any Deſign of changing the Government, which I value, and look upon as one of the beſt Governments in the World, and would always have been ready to venture my Life for the preſerving of it, and would have ſuffered any Extremity, rather than have conſented to any Deſign to take away the King's Life: Neither ever had Man the Impudence to propoſe ſo baſe and barbarous a thing to me. And I look on it as a very unhappy, and uneaſy part of my preſent Condition, That in my Indictment there ſhould be ſo much as mention of ſo vile a Fact; tho nothing in the leaſt was ſaid to prove any ſuch Matter; but the contrary, by the Lord *Howard*: Neither does any Body, I am confident, believe the leaſt of it. So that I need not, I think, ſay more.

For the King, I do ſincerely pray for him, and wiſh well to him, and to the Nation, That they may be happy in one another; that he may be indeed the Defender of the Faith; That the Proteſtant Religion, and the Peace, and Safety of the Kingdom may be preſerved, and flouriſh under his Government; and that He in his Perſon may be happy, both here, and hereafter.

As for the ſhare I had in the Proſecution of the Popiſh Plot, I take God to Witneſs, that I proceeded in it in the Sincerity of my Heart; being then really convinced (as I am ſtill) that there was a Conſpiracy againſt the King, the Nation, and the Proteſtant Religion: And I likewiſe profeſs, that I never knew any thing, either directly or indirectly, of any Practice with the Witneſſes; which I look upon as ſo horrid a thing, that I could never have endured it. For, I thank God, Falſhood and Cruelty were never in my Nature, but always the fartheſt from it imaginable. I did believe, and do ſtill, that Popery is breaking in upon the Nation; and that thoſe who advance it, will ſtop at nothing, to carry on their Deſign: I am heartily ſorry that ſo many Proteſtants give their helping Hand to it. But I hope God will preſerve the Proteſtant Religion, and this Nation: tho I am afraid it will fall under very great Tryals, and very ſharp Sufferings. And indeed the Impiety, and Profaneneſs that abounds, and appears ſo ſcandalouſly bare-fac'd every where, gives too juſt reaſon to fear the worſt things which can befal a People. I pray God prevent it, and give thoſe who have ſhew'd Concern for the Publick Good, and who have appear'd Hearty for the true Intereſt of the Nation, and the Proteſtant Religion, Grace to live ſo, that they may not caſt a Reproach on that which they endeavour to advance; which (God knows) has often given me many ſad Thoughts. And I hope ſuch of my Friends as may think they are touch'd by this, will not take what I ſay in ill part, but endeavour to amend their ways, and live ſuitable to the Rules of the true Reformed Religion; which is the only thing can adminiſter true Comfort at the latter End, and revive a Man when he comes to Dye.

As for my preſent Condition, I bleſs God, I have no Repining in my Heart at it. I know for my Sins I have deſerved much worſe at the Hands of God; So that I cheerfully ſubmit to ſo ſmall a Puniſhment, as the being taken off a few Years ſooner, and the being made a Spectacle to the World. I do freely forgive all the World, particularly thoſe concerned in taking away my Life: and I deſire and conjure my Friends to think of no Revenge, but to ſubmit to the holy Will of God, into whoſe Hands I reſign my ſelf entirely.

But to look back a little; I cannot but give ſome touch about the Bill of Excluſion, and ſhew the Reaſons of my appearing in that Buſineſs; which in ſhort is this: That I thought the Nation was in ſuch danger of Popery, and that the Expectation of a *Popiſh Succeſſor* (as I have ſaid in Parliament) put the King's Life likewiſe in ſuch danger, that I ſaw no

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way ſo effectual to ſecure both, as ſuch a Bill. As to the Limitations which were propoſed, if they were ſincerely offered, and had paſs'd into a Law, the Duke then would have been excluded from the Power of a King, and the Government quite altered, and little more than the Name of a King left. So I could not ſee either Sin or Fault in the one, when all People were willing to admit of 'tother; but thought it better to have a King with his Prerogative, and the Nation eaſy and ſafe under him, than a King without it, which muſt have bred perpetual Jealouſies, and a continual Struggle. All this I ſay, only to juſtify my ſelf, and not to inflame others: Though I cannot but think my Earneſtneſs in that matter has had no ſmall Influence in my preſent Sufferings. But I have now done with this World, and am going to a Kingdom which cannot be moved.

And as to the conſpiring to ſeize the Guards, which is the Crime for which I am condemned, and which was made a conſtructive Treaſon for taking away the King's Life, to bring it within the Statute of *Edw.* the 3*d.* I ſhall give this true and clear Account. I never was at Mr. *Shepheard*'s with that Company but once, and there was no undertaking then of ſecuring, or ſeizing the Guards; nor none appointed to view, or examine them: Some Diſcourſe there was of the Feaſibleneſs of it; and ſeveral times by accident, in general Diſcourſe elſewhere, I have heard it mention'd, as a thing might eaſily be done, but never conſented to as fit to be done. And I remember particularly at my Lord *Shaftsbury*'s, there being ſome general Diſcourſe of this kind, I immediately flew out, and exclaim'd againſt it, and ask'd, If the thing ſucceeded, what muſt be done next but maſſacring the Guards, and killing them in cold Blood? Which I look'd upon as ſo deteſtable a thing, and ſo like a Popiſh Practice, that I could not but abhor it. And at the ſame time the Duke of *Monmouth* took me by the Hand, and told me very kindly, My Lord, I ſee you and I are of a Temper; Did you ever hear ſo horrid a thing? And I muſt needs do him that Juſtice to declare, that I never obſerved in him but an Abhorrence to all baſe things.

As to my going to Mr. *Shepheard*'s, I went with an Intention to taſte *Sherry*; for he had promiſed me to reſerve for me the next very good Piece he met with, when I went out of Town; and if he recollects, he may remember I ask'd him about it, and he went and fetch'd a Bottle; but when I taſted it, I ſaid 'twas hot in the Mouth; and deſired that whenever he met with a choice Piece, he would keep it for me: which he promiſed. I enlarge the more upon this, becauſe Sir *Geo. Jefferies* inſinuated to the Jury, as if I had made a Story about going thither; but I never ſaid, that was the only Reaſon: And I will now truly, and plainly add the reſt.

I was the day before this Meeting, come to Town, for two or three days, as I had done once or twice before; having a very near and dear Relation lying in a very languiſhing and deſperate Condition: And the Duke of *Monmouth* came to me, and told me, He was extreamly glad I was come to Town; for my Lord *Shaftsbury*, and ſome hot Men would undo us all: How ſo, my Lord, I ſaid? Why (anſwered he) they'll certainly do ſome diſorderly thing or other, if great Care be not taken, and therefore for God's ſake uſe your Endeavours with your Friends to prevent any thing of this kind. He told me, there would be Company at Mr. *Shepheard*'s that Night, and deſired me to be at home in the Evening, and he would call me; which he did: And when I came into the Room, I ſaw Mr. *Rumſey* by the Chimny; though he ſwears he came in after; and there were things ſaid by ſome with much more Heat, than Judgment, which I did ſufficiently diſapprove, and yet for theſe things I ſtand condemned. But I thank God, my part was ſincere, and well meant. It is, I know, inferred from hence, and was preſſed to me, that I was acquainted with theſe Heats and ill Deſigns, and did not diſcover them. But this is but Miſpriſion of Treaſon at moſt. So I dye innocent of the Crime I ſtand condemn'd for, and I hope nobody will imagine that ſo mean a Thought could enter into me, as to go about to ſave my ſelf, by accuſing others. The part that ſome have acted lately of that kind, has not been ſuch as to invite me to love Life at ſuch a rate.

As for the Sentence of Death paſſed upon me, I cannot but think it a very hard one. For nothing was ſworn againſt me (whether true or falſe, I will not now examine) but ſome Diſcourſes about making ſome Stirs. And this is not levying War againſt the King, which is Treaſon by the Statute of *Edward* the Third, and not the conſulting and diſcourſing about it, which was all that was witneſſed againſt me. But, by a ſtrange Fetch, the Deſign of ſeizing the Guards, was conſtrued a Deſign of killing the King; and ſo I was in that caſt.

And now I have truly and ſincerely told what my part was in that, which cannot be more than a bare Miſpriſion; and yet I am condemned as guilty of a Deſign of killing the King. I pray God lay not this to the charge, neither of the King's Counſel, nor Judges, nor Sheriffs, nor Jury: And for the Witneſſes, I pity them, and wiſh them well. I ſhall not reckon up the Particulars wherein they did me wrong; I had rather their own Conſciences ſhould do that, to which, and the Mercies of God, I leave them. Only I ſhall averr, that what I ſaid of my not hearing Col. *Rumſey* deliver any Meſſage from my Lord *Shaftsbury*, was true; for I always deteſted Lying, tho never ſo much to my advantage. And I hope none will be ſo unjuſt

and uncharitable, as to think I would venture on it in these my last Words, for which I am so soon to give an account to the Great God, the Searcher of Hearts, and Judg of all Things.

From the Time of chusing Sheriffs, I concluded the Heat in that Matter would produce something of this kind; and I am not much surprized to find it fall upon me. And I wish what is done to me, may put a stop, and satiate some Peoples Revenge, and that no more innocent Blood be shed; for I must, and do still look upon mine as such, since I know I was guilty of no Treason; and therefore I would not betray my Innocence by Flight, of which I do not (I thank God) yet repent, (tho much prelled to it) how fatal soever it may have seem'd to have proved to me; for I look upon my Death in this manner, (I thank God) with other eyes than the World does. I know I said but little at the Trial, and I suppose it looks more like Innocence than Guilt. I was also advis'd not to confess Matter of Fact plainly, since that must certainly have brought me within the Guilt of Misprision. And being thus restrained from dealing frankly and openly, I chose rather to say little, than to depart from that Ingenuity, that, by the Grace of God, I had carried along with me in the former parts of my Life, and so could easier be silent, and leave the whole Matter to the Conscience of the Jury, than to make the last and solemnest part of my Life so different from the Course of it, as the using little Tricks and Evasions must have been. Nor did I ever pretend to a great readiness in speaking: I wish those Gentlemen of the Law, who have it, would make more Conscience in the use of it, and not run Men down by Strains and Fetches, impose on easy and willing Juries, to the Ruine of innocent Men: For to kill by Forms, and Subtilties of Law, is the worst sort of Murther. But I wish the Rage of hot Men, and the Partialities of Juries, may be stopp'd with my Blood, which I would offer up with so much the more Joy, if I thought I should be the last were to suffer in such a way.

Since my Sentence, I have had but few Thoughts, but Preparatory ones for Death: Yet the Importunity of my Friends, and particularly of the Best and Dearest Wife in the World, prevailed with me to sign Petitions, and make an Address for my Life: To which I was very averse. For (I thank God) tho in all respects I have lived one of the happiest, and contented'st Men of the World, (for now very near fourteen years) yet I am so willing to leave all, that it was not without Difficulty, that I did any thing for the saving of my Life, that was Begging. But I was willing to let my Friends see what Power they had over me, and that I was not Obstinate, nor Sullen, but would do any thing that an honest Man could do, for their Satisfaction. Which was the only Motive that sway'd, or had any weight with me.

And now to sum up all: As I never had any Design against the King's Life, or the Life of any Man whatsoever; so I never was in any Contrivance of altering the Government. What the Heats, Wickedness, Passions, and Vanities of other Men have occasioned, I ought not to be answerable for; nor could I repress them, tho I now suffer for them. But the Will of the Lord be done; into whose Hands I commend my Spirit; and trust that Thou, O most Merciful Father, hast forgiven me all my Transgressions; the Sins of my Youth, and all the Errors of my past Life; and that Thou wilt not lay my secret Sins and Ignorances to my Charge; but wilt graciously support me during that small part of my Time now before me, and assist me in my last Moments, and not leave me then to be disorder'd by Fear, or any other Temptation; but make the Light of thy Countenance to shine upon me, for Thou art my Sun, and my Shield: And as Thou supportest me by thy Grace, so I hope thou wilt hereafter Crown me with Glory, and receive me into the Fellowship of Angels, and Saints, in that blessed Inheritance purchased for me by my most merciful Redeemer; who is, I trust, at thy Right Hand, preparing a place for me, and is ready to receive me: Into whose Hands I commend my Spirit.

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Entred according to Order.

LONDON:

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K. Russell (Lord W.)

THE

# Last Speech and Carriage,

OF THE

## LORD *RUSSEL*, upon the Scaffold, &c.

On *Saturday* the 21st. of *July*, 1683.

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ABout Nine in the Morning, the Sheriffs went to *Newgate*, to see if my Lord *Russel* was ready; and in a little time his Lordship came out, and went into his Coach taking his Farewel of his Lady, the Lord *Cavendish* and several other of his Friends at *Newgate*; in the Coach were Dr. *Tillotson*, and Dr. *Burnet*, who accompanied him to the Scaffold built in *Lincolns-Inn-fields*, which was covered all over with Mourning. Being come upon the Scaffold, his Lordship bowed to the Persons present, and turning to the Sheriff made this following Speech.

Mr. SHERIFF.

I *Expected the Noise would be such, that I should not be very well heard. I was never fond of much speaking, much less now, therefore I have set down in this Paper all that I think fit to leave behind me. God knows how far I was always from designs against the King's Person, or of altering the Government. And I still pray for the preservation of both, and of the* Protestant Religion.

*Mr.* Sheriff, *I am told, that Capt.* Walcot *Yesterday said some things concerning my knowledge of the Plot: I know not whether the Report is true or not.*

*Mr. Sheriff*, I did not hear him name your Lordship.

*Writer.* No, My Lord, your Lordship was not named by any of them.

Lord Russ. *I hope it is not, for to my knowledge I never saw him, nor spake with him in my whole Life; and in the words of a Dying Man, I profess I know of no Plot, either against the King's Life or the Government. But I have now done with this World and am going to a better, I forgive all the World heartily, and I thank God I die in Charity with all Men, and I wish all sincere* Protestants *may love one another, and not make way for Popery by their Animosities. I pray God forgive them, and continue the* Protestant Religion *amongst them, that it may flourish so long as the Sun and Moon indures. I am now more satisfied to die then ever I have been.*

Then kneeling down, his Lordship prayed to himself, after which Dr. *Tillotson* kneeled down and prayed with him, which being done his Lordship kneeled down and prayed a second time to himself, then pulled off his Wigg, put on his Cap, took off his Crevat, and Coat, and bidding the Executioner, after he had lain down a small moment, do his Office without a Sign, he gave him some Gold, then embracing Dr. *Tillotson*, and Dr. *Burnet*, he laid him down with his Neck upon the Block.

The Executioner missing at his first stroke, though with that he took away Life, at two more severed the Head from the Body: The Executioner held up the Head to the People, as is usual, in Cases of Treason, &c. Which being done Mr. *Sheriff* ordered his Lordships Friends or Servants to take the Body, and dispose of it as they pleased, being given them by his Majesties Favour and Bounty.

## *The Paper delivered to the Sheriffs by My* L^d. Russel.

I Thank God, I find my self so composed and prepared for Death, and my Thoughts so fixed on another World, that I hope in God, I am now quite weaned from setting my Heart on this. Yet I cannot forbear spending some time now, in setting down in Writing a fuller Account of my Condition, to be left behind me, than I'll venture to say at the Place of Execution, in the Noise and Clutter that is like to be there. I bless God heartily for those many Blessings, which he in his infinite Mercy has bestowed upon me, through the whole Course of my Life: That I was born of worthy good Parents, and had the Advantages of a Religious Education; which I have often thank'd God very heartily for, and look'd upon as an invaluable Blessing: For even when I minded it least, it still hung about me, and gave me Checks, and hath now for many Years so influenced and possessed me, that I feel the happy Effects of it in this my Extremity, in which I have been so wonderfully (I thank God) supported, that neither my Imprisonment, nor the Fear of Death, have been able to discompose me to any degree; but on the contrary, I have found the Assurances of the Love



The paper delivered the Sheriffs by my Lord

and Mercy of God, in and through my bleſſed Redeemer, in whom only I truſt; and I do not queſtion, but that I am going to partake of that Fulneſs of Joy which is in his preſence, the hopes whereof does ſo wonderfully delight me, that I reckon this as the happieſt time of my Life, though others may look upon it as the ſaddeſt.

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As for my preſent Condition, I bleſs God, I have no Repining in my Heart at it. I know for my Sins I have deſerved much worſe at the Hands of God; So that I chearfully ſubmit to ſo ſmall a Puniſhment, as the being taken off a few Years ſooner, and the being made a Spectacle to the World. I do freely forgive all the World, particularly thoſe concerned

cerned in taking away my Life: And I desire and conjure my Friends to think of no Revenge, but to submit to the holy Will of God, into whose Hands I resign my self entirely.

But to look back a little; I cannot but give some touch about the Bill of Exclusion, and shew the Reasons of my appearing in that Business; which in short is this: That I thought the Nation was in such danger of Popery, and that the Expectation of a *Popish Successor* (as I have said in Parliamen) put the King's Life likewise in such danger, that I saw no way so effectual to secure both, as such a Bill. As to the Limitations which were proposed, if they were sincerely offered, and had pass'd into a Law, the Duke then would have been excluded from the Power of a King, and the Government quite altered, and little more than the Name of a King left. So I could not see either Sin or Fault in the one, when all People were willing to admit of 'tother; but thought it better to have a King with his Prerogative, and the Nation easy and safe under him, than a King without it, which must have bred perpetual Jealousies, and a continual Struggle. All this I say, only to justify my self, and not to inflame others: Though I cannot but think my Earnestness in that matter has had no small Influence in my present Sufferings. But I have now done with this World, and am going to a Kingdom that cannot be moved.

And to the conspiring to seize the Guards, which is the Crime for which I am condemned, and which was made a constructive Treason for taking away the King's Life, to bring it within the Statute of *Edw.* the *3d*. I shall give this true and clear account. I never was at Mr. *Shepheard's* with that company but once, and there was no undertaking then of securing, or seizing the Guards; nor none appointed to view, or examine them: Some Discourse there was about the Feasibleness of it; and several times by accident, in general Discourse elsewhere, I have heard it mention'd, as a thing might easily be done, but never consented to as fit to be done. And I remember particularly at my Lord *Shaftsbury's*, there being some general Discourse of this kind, I immediately flew out, and exclaim'd against it, and ask'd, If the thing succeeded, what must be done next but massacring the Guards, and killing them in cold Blood? Which I look'd upon as so detestable a thing, and so like a Popish Practice, that I could not but abhor it. And at the same time the Duke of *Monmouth* took me by the Hand, and told me very kindly, My Lord, I see you and I are of a Temper; Did you ever hear so horrid a thing? And I must needs do him that Justice to declare, that I never observed in him but an Abhorence to all base things.

As to my going to *Mr. Shepheard's*, I went with an Intention to taste *Sherry*; for he had promised me to reserve for me the next very good Piece he met with, when I went out of Town; and if he recollects, he may remember I ask'd him about it, and he went and fetch'd a Bottle; but when I tasted it, I said 'twas hot in the Mouth; and desired that whenever he met with a choice Piece, he would keep it for me: Which he promised. I enlarge the more upon this, because Sir *Geo. Jefferies* insinuated to the Jury, as if I had made a Story about going thither; but I never said, that was the only Reason: And I will now truly, and plainly add the rest.

I was the day before this Meeting, come to Town, for two or three days, as I had done once or twice before; having a very near and dear Relation lying in a very languishing and desperate Condition: And the Duke of *Monmouth* came to me, and told me, He was extreamly glad I was come to Town; for my Lord *Shaftsbury* and some hot Men would undo us all, if great Care be not taken, and therefore for God's sake use your Endeavours with your Friends to prevent any thing of this kind. He told me, there would be Company at Mr. *Shepheard's* that Night, and desired me to be at home in the Evening, and he would call me; which he did: And when I came into the Room, I saw Mr. *Rumsey* by the Chimny; though he swears he came in after; and there were things said by some with much more Heat, than Judgment, which I did sufficiently disapprove, and yet for these things I stand condemned. But I thank God, my part was sincere, and well meant. It is, I know, inferred from hence, and was pressed to me, that I was acquainted with these Heats and ill Designs, and did not discover them. But this is but Misprision of Treason at most. So I dye innocent of the Crime I stand condemn'd for, and I hope nobody will imagine that so mean a Thought could enter into me, as to go about to save my self, by accusing others. The part that some have acted lately of that kind, has not been such as to invite me to love Life at such a rate.

As for the Sentence of Death passed upon me, I cannot but think it a very hard one. For nothing was sworn against me (whether true or false, I will not now examine) but some Discourses about making some Stirs. And this is not levying War against the King, which is Treason by the Statute of *Edward* the Third, and not the consulting and discoursing about

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it, which was all that was witneſſed againſt me. But, by a ſtrange Fetch, the Deſign of ſeizing the Guards, was conſtrued a Deſign of killing the King, and ſo I was in that caſt.

And now I have truly and ſincerely told what my part was in that, which [illegible] more than a bare Miſpriſion; and yet I am condemned as guilty of a deſign of killing [illegible]ing. I pray God lay not this to the charge, neither of the King's Counſel, nor Judges, [illegible] Sheriffs, nor Jury: And for the Witneſſes, I pity them, and wiſh them [illegible] up the Particulars wherein they did me wrong; I had rather their ow[illegible]nces ſhould do that, to which, and the Mercies of God, I leave them. Only I ſtill averr, that what I ſaid of my not hearing Col. *Rumſey* deliver his Meſſage from my Lord *Shaftsbury*, was true; for I always deteſted Lying, tho never ſo much to my advantage. And I hope none will be ſo unjuſt and uncharitable, as to think I would venture on it in theſe my laſt Words. for which I am ſo ſoon to give an account to the Great God, the Searcher of Hearts, and Judg of all Things.

From the Time of chuſing Sheriffs, I concluded the Heat in that Matter would produce ſomething of this kind; and I am not much ſurprized to find it fall upon me. And I wiſh what is done to me, may put a ſtop, and ſatiate ſome Peoples Revenge, and that no more innocent Blood may be ſhed; for I muſt and do ſtill look upon mine as ſuch, ſince I know I was guilty of no Treaſon; and therefore I would not betray my Innocence by Flight, of which I do not (I thank God) yet repent, (tho much preſſed to it) how fatal ſoever it may have ſeem'd to have proved to me; for I look upon my Death in this manner, (I thank God) with other eyes than the World does. I know I ſaid but little at the Trial, and I ſuppoſe it looks more like Innocence than Guilt. I was alſo advis'd not to confeſs matter of Fact plainly, ſince that muſt certainly have brought me within the Guilt of Miſpriſion. And being thus reſtrained from dealing frankly and openly, I choſe rather to ſay little, than to depart from Ingenuity, that by the grace of God I had carried along with me in the former parts of my Life, and ſo could eaſier be ſilent, and leave the whole matter to the Conſcience of the Jury, than to make the laſt and ſolemneſt part of my life ſo different from the courſe of it, as the uſing little Tricks and Evaſions muſt have been. Nor did I ever pretend to a great readineſs in ſpeaking: I wiſh thoſe Gentlemen of the Law who have it, would make more Conſcience in the uſe of it, and not run Men down by Strains and Fetches, impoſe on eaſie and willing Juries, to the Ruine of innocent Men: For to kill by Forms and Subtilties of Law, is the worſt ſort of Murder: But I wiſh the Rage of hot Men, and the Partialities of Juries may be ſtopp'd with my Blood, which I would offer up with ſo much the more Joy, if I thought I ſhould be the laſt were to ſuffer in ſuch a way.

Since my Sentence, I have had few Thoughts, but Preparatory ones for Death: Yet the Importunity of my Friends, and particularly of the beſt and deareſt Wife in the World, prevailed with me to ſign Petitions, and make Addreſſes for my Life: To which I was very averſe. For (I thank God) tho in all reſpects I have lived one of the happieſt and contented'ſt men in the world, (for now near fourteen years) yet I am ſo willing to leave all, that it was not without Difficulty, that I did any thing for the ſaving of my Life, that was Begging. But I was willing to let my Friends ſee what Power they had over me, and that I was not obſtinate, nor ſullen, but would do any thing that an honeſt Man could do for their Satisfaction. Which was the only Motive that ſway'd, or had any weight with me.

And now to ſumm up all, as I never had any Deſign againſt the King's Life, or the Life of any man whatſoever; ſo I never was in any Contrivance of altering the Government. What the Heats, *Wickedneſſes*, Paſſions, and Vanities of other men have occaſioned, I ought not to be anſwerable for; nor could I repreſs them, tho I now ſuffer for them. But the Will of the Lord be done, into whoſe Hands I commend my Spirit; and truſt that thou, O moſt merciful Father, haſt forgiven me all my Tranſgreſſions; the Sins of my Youth, and all the Errors of my paſt Life, and that thou wilt not lay my ſecret Sins to my Charge; but wilt graciouſly ſupport me during that ſmall part of my Life now before me, and aſſiſt me in my laſt Moments, and not leave me then to be diſorder'd by Fear, or any other Temptation; but make the Light of thy Countenance to ſhine upon me; for thou art my Sun and my Shield; and as thou ſupporteſt me by thy Grace, ſo I hope thou wilt hereafter crown me with Glory, and receive me into the Fellowſhip of Angels and Saints in that bleſſed Inheritance purchaſed for me by my moſt merciful Redeemer, who is, I truſt, at thy Right Hand, preparing a Place for me; into whoſe Hands I commend my Spirit.

Signed *Will. Ruſſel.*

London-
K. Middlesex Sessions Old-Bailey.

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An Account of the PROCEEDINGS
AT THE
# SESSIONS
*Of* Oyer *and* Terminer, *and* Gaol-Delivery *of* Newgate;
*Which Began at the* Sessions-House *in the* OLD-BAYLY, *for the City of* London *and County of* Middlesex, *the* 10. *of* October 1683. *and ended the* 13*th of the same Instant. Where divers persons were tryed for* HIGH-TREASON, Murder, Felony, Burglary, *and other Misdemeanors. With the Names of the Persons Condemned, burnt in the Hand, to be Whipt and Transported.*

*John Derry* was Tryed for Killing *Thomas Robinson*, in the Parish of St. *Bartholomew the Great*; which upon Evidence appeared thus: the Prisoner and Deceased working together (being Printers by Trade) upon some Words passing between them, the Prisoner struck the Deceased with the handle of a *Printers* Ball, drawing Blood by the stroke; which happening on the 27. of *June* last, he lived till the 23. of *August*, and then dyed; but no former Malice appearing, and the Doctor and Chyrurgion giving Testimony, that they verily believed the Deceased died a natural Death, not being any ways occasioned by that stroke, the Prisoner was acquitted.

*John Knight*, *John Paybody*, and *Thomas Edmunds*, were Tryed upon two Indictments; for stealing two Horses, one from Sir *Adam Brown*, and the other from one Mr. *Tapin* near *Darkin* in *Surry*; which being plainly proved, they were all found guilty of the Felony.

*Hugh Jones*, *Sidny Vandelo*, *Edward Williams*, *Charles Dod*, and *Charles Roberts*, were Tryed for Robbing *Richard Littleton* of a Castor, and four Shillings in Money, taking it from his Person in the Parish of St. *Michael Cornhill*, on the 27. of *September* the last, which being proved against them, and that *Sidney Vandelo*, one of them, had run the Prosecutor into the Body, and that they were notorious Pick-pockets, they were found Guilty of the Felony and Robery.

*Elizabeth Hare* was Tryed for Clipping divers Half-Crowns, Shillings, and Six-pences, of the Lawful and Currant Coyn of this Kingdom. Upon Tryal, the Circumstances were thus: The Prisoner having a Maid-Servant living with her some time since the said Servant swore, That she saw her Mistriss Clipping divers times in her Closet, as also found Clippings there, with Files, Shears, and *Aqua Fortis*: And further, That she had taken a Bond on her, to conceal her Secrets. It was also alledged, That she had formerly Clipped, and had been Convicted of it: And that divers Instruments, and some Symptoms of Clippings, were upon search found in her House. Against which she pleaded, That it was done in Malice, &c. But in Fine, the Jury having received the Charge from the Court, they found her Guilty of the High-Treason.

*Jonathan Parsons*, *Joseph Roberts*, and *Robert Thomas*, were tryed for stealing a Gelding, valued at 10 pounds, from one *John Newman* of *Hampstead*, on the 26th. of *August* last; which Horse was sold to another person, by *Joseph Roberts*; but upon refusing to toll him, the Horse and Money were stopped, and the true owner found; but it appearing that *Roberts* and *Thomas* had no hand in stealing the Horse, or that they knew he was stole, but ignorantly upon the word of *Parsons*, that he came honestly by him, received him into their custody, they were acquitted, and *Parsons* only found guilty of the Felony; but being tryed on another Indictment, for stealing divers silver Tankards, from Mr. *Page* of St. *Bartholomew the Great*, and there being no home proof against him, he was acquitted. *Ro-*

Trusty Roger

*Robert Barrier*, was indicted, arraigned and tryed, for robbing the houſe of *Nicholas Ranſden* of *Chattam*, on the fourteenth of *September* laſt, and taking from thence a ſilver Tankard, a large ſilver Cup, and three Dram-cups, as alſo 50 ſhillings in money; with which, according to the Evidence, he was ſeized as he was coming for *London* by water, his Plea was, that they were givin him in lieu of a Legacy of 15 pounds; but that not appearing, and he having been formerly found tardy, the Jury brought him in guilty.

*John Thomſon* was tryed for ſtealing a long laced Scarf, valued at 3 pounds, from *Mary Haburley* in the *Royal-Exchange*, on the 18 of *September* laſt; againſt him it was proved that he took the Scarf, and he being purſued, dropped it; but he pleaded that he was far from the *Exchange* when he was taken, and that it was impoſſible for him to get ſo far off in ſo ſhort a time; but the proof being plain, he was found guilty of the Felony.

*Thomas Atkins* was tryed for ſtealing a Tankard from *Elizabeth Green* in *Foſter-Lane*, on the tenth of *September* laſt: the circumſtances as upon Evidence they appeared were theſe; the Priſoner watching his opportunity, when the Proſecutor had turned her back, ſnatched the Tankard from off the Counter, and fled, but being cloſely purſued he dropped it, yet he alledged in his defence, that he had it not, but the Purſuers miſtook the man, and laying hold of him, permitted the Felon to eſcape; but thoſe Allegations being confuted by other Evidence, who ſwore poſitively to the Stealing and Party, he was found guilty of the Felony.

*John Smith* and *William Smith* were tryed for robbing the Houſe of the Right Honourable the Earl of *Linſy* at *Chelſy*, of Laced Curtains, Mantles, Silks, and divers other Goods, to the value of 50 pounds, which Goods, according to what in Court was ſworn by the Evidence, were found in the cuſtody of the Priſoners at a Bakers houſe near *Newgate*, to which the former *Smith* pleaded that he had been tryed and burnt in the hand the laſt Seſſions for the ſaid Robbery; but it appearing, that although he was burnt in the hand for ſtealing a Parliament Robe from the ſaid Earl, yet this Robbery was committed ſince, ſo that his allegation rather augmented than extenuated the Crime, and the latter not being able to give any account of his Life and Converſation, they were both found guilty.

*John Piſer* was tryed for killing *Suſan Roberts*, by running over her with the hinder wheel of his Coach at the turning of *Ruſſel Street*, on the tenth of *September*; but it appearing that he did it not wilful, for that he gave the Children warning to ſtand up, and a Coach croſſing him, that he could not keep further from the wall, and that as ſoon as he heard the people cry out, he alighted, and run back his Coach; upon directions received from the Court, he was found guilty of Man-ſlaughter only.

*William Williams* was tryed upon three Indictments; firſt, for raviſhing *Sibila May*, a woman of about eighty years old; ſecondly, for robbing her, in taking a Ring from her perſon; and thirdly, for robbing her houſe: upon the two latter Indictments, the proof being plain, he was found guilty, but upon the former acquitted, the party raviſhed not being able to ſay

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he was the man, by reaſon as ſhe alledged, he blindfolded her.

*Chriſtopher Moor* was tryed for breaking open the Houſe of *William Reeves*, in the Pariſh of St. *Clement Danes*, and ſtealing thence divers Suits of Cloaths, to the value of 20 pounds; which fact, he confeſt before the Juſtice, upon his commitment, and not upon his Tryal being able to deny it, by reaſon he had one of the Suits upon his back, the Jury found him guilty of the Felony and Robbery.

*Peter Crown* was tryed for Killing *John Hilton* upon *Tower-Hill*, on the tenth of *September* laſt; the which upon Evidence appeared thus, *viz.* the Priſoner and the Deceaſed being together, the former upbraided the latter with his ſitting the Wooden-Horſe; whereupon the Deceaſed calling him Coward, and demanded Satisfaction: and had Anſwer returned him, That on the Morrow following, he ſhould have ſatisfaction fitting to be received from a Gentleman; but other words ariſing, they went out preſently and fought, when after divers Paſſes, *Hilton* was run through the body; but no premeditated Malice appearing, the Priſoner was Acquitted of the Murther, and found Guilty of the Man-ſlaughter only.

*Bernard Diſon* was tryed for High-Treaſon, for clipping divers Half-Crowns, Shillings and Six-pences, of the Lawful Coin of this Realm; the Evidence againſt him was, That he living with an *Oyl-Man* in *Watling-ſtreet*, had been obſerved to have Shears, and other Inſtruments not pertinent to his buſineſs; but above all, the Maid of the houſe ſearching for old Rags, under the Stairs in the Cellar, found a bag with Clippings in it, and therewith acquainted her other fellow-Servant, who told his Maſter, and upon ſearch, other Clippings were found about the Houſe, at which the Priſoner ſeemed greatly concerned, which gave them occaſion to ſuſpect him; but he upon his Tryal denying the Fact, and there being no poſitive proof of his Clipping, he was acquitted.

*James Ogle* was tryed for ſtealing Mony to the ſum of five pounds, from one Mr. *Hauks*, from out the Cabin of his Ship lying in *Billings-gate Dock*, the Proof being, That the Priſoner was ſeen to put a Bag in his Pocket, as he came out of the *Cabin*, and that the Bag the Mony was in, was a while after found in the Hold of the Ship; but it not being proved, that the Priſoner ſtole the Mony, and he alledging, that the Bag he had was not the Bag afterwards found, he was by the Jury acquitted of the Felony.

*Henry Atkinſon*, *John Fitz-James*, and *John Ruth*, were tryed for Killing *Nicholas Welſh* on the eighth of *September* laſt, in the Pariſh of St. *Clement Danes*; the Circumſtances that appeared upon Evidence being theſe; Mr. *Atkinſon* and Mr. *Welſh* the day before the fact committed, coming over the Water, had ſome Words at landing; but upon the former's promiſing to beg the latter's Pardon, at that time nothing further was attempted; but the next day towards the Evening, Mr. *Atkins*, Mr. *Fitz James*, and Mr. *Ruth* came to a Tavern where Mr. *Welſh* was drinking, and according to promiſe Mr. *Atkins* begged his Pardon; but Mr. *Welſh* afterwards being about to depart, one of the Priſoners called him into the Room where they were drinking, to enter which he ſeemed ſhy, but upon promiſe, that all Animoſities that might create a quarrel were laid aſide, he conſented; but after drinking divers

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Glaſſes, and he refuſing to drink Mr. *Atkinſon*'s health, Mr. *Ruth* began to pick a quarrel, by telling him, he had ſpoke ill of him, in giving out at ſuch a time he was Drunk, which occaſioned Words to ariſe, inſo much, that Glaſſes were thrown at each other; and in the end their Swords drawn, in which action, Mr. *Ruth* run Mr. *Wilſ* into the Body, of which Wound he died; but a ſeeming friendſhip appearing a little before, and Mr. *Atkins* and Mr. *Fitz James*, who were Indicted as Principals, not being actually concerned in the Quarrel, they were acquitted; but Mr. *Ruth* found Guilty of Man-ſlaughter.

*Thomas Hern*, and *Jacob Horton*, were tryed for killing *Thomas Harding* a Drawer at the *Crown* Tavern in *Fenchurch-ſtreet*, the manner thus, as it appeared in Court: The Deceaſed and the firſt Priſoner being Drawers in the aforeſaid Tavern, they quarrell'd about a Three-pence given to the Priſoner by a Company that drank in the Houſe; whereupon, after ſome words, they went to fighting, during which Encounter, *Harding* was much bruiſed, and from the 22*d*. of *September*, languiſhing till the 24*th*. of the ſaid Inſtant, died: But no premeditated Malice appearing, and the perſon who fought with him being but a Youth, he was acquitted; as likewiſe was *Jacob Horton*, upon the Coroner's Inquiſition.

*Elizabeth Green*, and *William Standback*, were Indicted for ſtealing two Silver Tankards, two Cups, four Spoons, &c. from *John Davenport* in *Weſt-Smithfield*, on the 12*th*. of *September* laſt, which Plate, upon putting out Bills, was diſcovered; but the former Priſoner owning the Felony, and acquitting the latter, ſhe only was found guilty.

*Samuel Matthews* was tryed for ſtealing a Silver Tankard, Value five pound, in *Fetter-lane*, on the 28*th*. of *September* laſt: Againſt him it was proved, that he came into the Houſe, pretending that a Neighbour was coming to him, and going up Stairs, no ſooner had a Tankard brought him, and left alone, but he, by a Cord, ſlipped out at the Window, within ſome days after being apprehended and committed, he by Letter acknowledged the Felony, and was found guilty.

*Robert Delevere* was tryed, and found guilty, for ſtealing ſeventeen Shillings from *Thomas Agriman*.

*John Griffith*, *Daniel Axtold*, *James Warner*, and Mr. *Bamfield*, four Diſſenting Miniſters, were brought to the *Bar*, and demanded, Whether they would take the Oath of Allegiance? But they refuſing, their Refuſals were Recorded, and an Indictment upon the Statute of *Præmunire* found againſt them by the Grand Jury of *London*; but it being late, and the Petty Jury by the Court diſcharged, their Tryals were deferred to the next Seſſions.

*James Rothwell*, a Roman Catholick, had the Oath of Allegiance tendered him, which he offered to take, but when he came to the words mentioned therein, Aſſerting the King's Rightful Title to theſe Realms, and other His Majeſties Dominions, and that the Pope had no Power or Juriſdiction therein, he bogled, and would proceed no further, whereupon he was Re-manded to Priſon.

*James Gibbons* having been taken about *Yorkſhire* for *Rumbold*, was likewiſe brought to the Bar, and had the Oath tender'd him; which, after ſome difficulty, he took, &c.

*Mary Phelps* was tryed for the Murther of *John Carleton*, which, upon Tryal appeared thus: The Priſoner being, as ſhe pretended, affronted by a Coachman, who ſaid ſhe kept Bullies in her Houſe, ſhe went home, and fetched one *John Bolger*, a Lodger of hers, to vindicate her; but ere he came, the Coachman being gone, and ſome words paſſing between her and the Deceaſed, who was a Porter, the ſaid *Bolger* run him into the Belly, of which wound he inſtantly died; the ſaid *Bolger* thereupon being committed to the *Gatehouſe*, broke Priſon, and made his Eſcape: But it appearing that the Priſoner was aiding, abetting, comforting, and maintaining the ſaid *Bolger*, ſhe was found guilty of the Murther.

*William Clark* was tryed for ſpeaking Seditious Words, viz. That there was no Presbyterian Plot, but a Church of England Plot, &c. The which being proved againſt him by two Witneſſes, he was found guilty of the Treſpaſs and Miſdemeanour.

*Ann Walker* was tryed as Acceſſary to the Murther of *Jeremiah Baller*, ſuppoſed to be done by one *Owen Vaughan*; but there being no poſitive Proof that ſhe was there at the time of the Murther Committed, ſhe was acquitted.

*John Quarles* and *Francis Temple* were tryed for robbing the Houſe of *Elenor Price* in *Holbourn*, into which they came to drink, and breaking open a Chamber door, took thence to the Value in Money, Rings, and other things, 120 *l*. as alſo two Bonds; which Robbery *Temple* confeſſed, and the Proof being plain againſt *Quarles*, they were both convicted.

*Charles Butler* was tryed upon an Indictment of High-Treaſon, for Clipping, Filing, and Diminiſhing Half-Crowns, Shillings, and Sixpences, the proper and lawful Coin of this Realm; upon which Tryal it appeared, that divers Clippings, Silver-Duſt, Shears, Melting Pots, Running Pots, Files, and the like, were found in his Houſe, in *Lincolns-Inn-Fields*; as alſo at an other Houſe of his in *Fulham*, Silver Filings, &c. were found, and about him 4 pound odd money newly clipped, ſo that in concluſion, he was found guilty of the High Treaſon.

*Francis Egliſton* was tryed for robbing *Richard Jaxon*, in *Spittle-fields*, in the High-way, of a Hat, Cravat, and other things, which being proved, he was found guilty.

This Seſſions Eighteen perſons received Sentence of Death, *viz. Edward Williams*, *Charles Dod*, *Sidny Wandſo*, *Hugh Jones*, *Charles Roberts*, *John Smith*, *Jonathan Parſons*, *William Williams*, *Chriſtopher Moor*, *John Knight*, *John Poynds*, *Thomas Edmonds*, *Elizabeth Green*, *Mary Phelps*, *Charles Temple*, *John Quarles*, *Charles Butler*, and *Elizabeth Hart*; the laſt two for High-Treaſon, for Clipping the Lawful Coin of this Kingdom. *Frances Egliſton* was reprieved before Judgment.

There were burnt in the hand, *John Thomſon*, *Thomas Atkins*, *Peter Crown*, *John Green*, and two others; *John Piſer* being reprieved before Burning.

Ordered to be Tranſported, *R. Valour*, *Samuel Matthews*, *William Smith*, and *Humphry Higgins*.

Six were Sentenced to be Whipt, *viz. Thomas Wade*, *Robert Delevere*, *John Peech*, *Elizabeth Berry*, *Frances Taylor*, and *Elizabeth Vincent*.

*James Rothwell* having refuſed to take the Oath of Allegiance, and thereunto pleaded Guilty, was awarded Impriſonment during his Majeſties Pleaſure, and to have his Goods, Chattels, &c. ſeized to the uſe of the King.

*William Clark* for ſpeaking Sedirious Words againſt the Government, was fined a hundred Marks, ſentenced to ſtand in the Pillory in *Clare-Market*, and to find Sureties for his good Behaviour.

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*London* Printed for *Langley Curtis*, near *Fleet-bridge*. 1683.

An Exact

# ACCOUNT

of the

# TRYAL

OF

## Algernoon Sidney Esqs

Who was Tryed at the

# Kings-Bench-Bar

AT

# WESTMINSTER,

This present *Wednesday* being the twenty first of *November* for Compiring the Death of the King, and his Royal Highness, of which he was Convicted.

THe Court being sat, My Lord *Chief Justice*, Mr. Justice *Withens*, Mr. Justice *Holloway*, Mr. Justice *Walcot*, sitting on the Bench, and the usual O yes, being made, the Jury was called, Mr. *Sidney* would have challenged some, because they were no Freeholders, but my Lord *Chief Justice*, told him that was no Exception and that, that Case had been several times over-ruled, and particularly in my Lord *Russels* Case; so that he was forced to Acquiese, and after having excepted against several without shewing cause at last the Jury was Empannelled, and the Indictment being read, and most Elegantly, and Legally, opened by the Kings learned Council at Law, the witnesses was called for the King.

The first that was called was Mr. *West*, who began to discourse, and prove the Plot in General: but Mr. *Sidney* taking Exceptions at this way of proceeding my Lord *Chief Justice*, told him, it had been the ordinary way of the Court, and particularly, in the Tryal of the Jesuits: so the Evidence proceeded, and afterwards did particularize, that though himself, did hold no Correspondence with

the Priſoner at the Bar, yet he was often told by Captain *Walcot*, that he was a main Engine, in the contriving of all, and providing of Arms.

The next appeared for the King, was Colonel *Rumſey*, who gave much what the ſame Evidence in General: and particularly that Mr. *Sidney* was a great Contriver.

Then was called Mr. *Keeling* the firſt Diſcoverer; he ſpoke firſt to the Plot in General, and ſaid in particular, towards the latter end of his Evidence, that he heard from others, that Mr. *Sidney* was all along in the Plot.

The fourth and laſt Evidence for the King was the Lord *Howard* of *Eſcriek*, he ſwore in particular, that Mr. *Sidney*, had often ſitten in Council with other five, where they debated the means to Kill the King: New Model the Goverment, and that he was by; when a Traytorous Letter was writ to invite their Bretheren of *Scotland*, and to ſhake of Monarchie, and particularly my Lord *Howard* evidenced, that Mr. *Sidney*, undertook to ſend the Letter, and that *Aron Smith*, was imployed by Mr. *Sidney*, in this buſineſs: This was the ſubſtance of what my Lord *Howard* depoſed as to the Priſoner at the Bar.

Then the Kings Council produced a moſt virulent and treacherous Libel, that was ſeized on in Mr. *Sidney's* Houſe, when he was apprehended. Mr. *Adderbury*, the Meſſenger appeared in Court, & atteſted in that it was taken there, and Sr. *Philip Lloyd*, atteſted it was the ſame that was before the King and Council. Then was called one Mr. *Cook* Goldſmith, and another Citizen his Partner, they ſaid they had often dealt with Mr. *Sidney* and had ſeen ſeveral Letters written with his own hand, and they were fully ſatisfied that the abovementioned Pamphlet was written by the ſame hand that they were uſed to receive, were Written. The ſubſtance of the Pamphlet was that the Sovereign power was in the People, and that the King was but only the peoples Truſtee, and that if he would (it was true they ſaid) he might depoſe himſelf, and if he would not they might by force depoſe him, and chaſtiſe him for miſgoverment; and that if they proceeded to depoſe the King, they did not break their Oath's becauſe the King had no Authority to impoſe ſuch an oath, and that the Parliament were the Judges when the King did amiſs, and ought to be dethroned, and that his preſent Majeſty had fallen under theſe circumſtances, aud that was the reaſon they had to juſtifie themſelves in their proceedings. and ſo to draw in the Mobile; It was a very large Pamphlet and & took a great deal of time: there were ſeveral of the moſt ſeditious clauſes of this wicked Pamphlet inſerted in the Indictment.

The Kings Council, having done with their Evidence, and clearly proved the Pamphlet upon Mr. *Sidney*, he was permitted with all the Freedom immaginable to make his defence, which was very long, and not the leaſt interrupted: the Court giving him all the fair Play immaginable.

Firſt he began with matters of Law, and pleaded, that there ought to be two Witneſſes to every particular fact, but he was anſwered by the Court, that that Caſe had been often over-ruled; and

that

that at the Tryal of the late Viſcount *Stafford*, where it was agreed on by all the Judges, that it was not neceſſary, ſo that they both proved the Treaſon, ſo that if one Witneſs proved a Fact, or an overt-Act of Treaſon in one County, and another overt Act in another County, they were two good Witneſſes in Law, becauſe they both proved Treaſon. His next Argument was, that he conceived himſelf only Guilty of Miſpriſion of Treaſon, becauſe it could not be proved, that he writ the Treaſonable Letter that was to be ſent into *Scotland*, by *Aron Smith*, but he was told by the Court, that his point of Law, likewiſe failed him in that Caſe, for if one be by, where Treaſon is conſulted, though they never ſay nothing, if they do not diſcover, it's not impriſion of Treaſon, but High-Treaſon, as all the Judges had reſolved in the tryal of the lae Lord *Ruſſel*: then he endeavoured to prove, that my Lord *Howard* owing him ſome Money, and that he claiming it, My Lord ſpoke, that he would be revenged on him: then he inſiſted upon ſomething of foreign Laws, and flouriſhed with ſome ſentences of Scripture, which becauſe they were not penitent to the preſent proceeding were looked on as frevilous. Then he proceeded to ſeveral other topicks, to ſhew the improbabilitie of ſuch a deſigne, he ſpeaking very Floridly, & often ſmileing as if he did not queſtion but to have a good dilivery. Firſt he endeavoured to ſhew the improbabilitie of his being in ſuch a deſign, from the greatneſs of his Age, he being a good deal above threeſcore, and beſides very infirme: which might induce any body to believe as he ſayed, that the Fire of Ambition muſt be extinguiſhed, and that it was fitter for him to think of a Retiring place, and give up the latter end of his days to eaſe aud quiet, he having been all his lifetime in a perpetual hurry: His other topick was not of improbabilitie, but endeavoured to inſinuate an unpoſſibillitie of his being concerned, becauſe he ſayed he was no popular man and conſequently unfit to be concerned in ſuch an Affaire, where it was fit the people concerned ſhould be Darlings of the Mobile, that ſo they might manage them at their pleaſure, Theſe were only looked upon by the Court as flouriſhes, which were not very material, and ſo giving him a ſhort and pithy Anſwer deſired him to proceed to more ſolid arguments, and to call in his evidence, which were many but were able to ſay litle in the Priſoners behalf.

The firſt was my Lord *Angleſey*, he atteſted that my Lord *Howard*, had proteſted after the breaking out of the Plot at my Lord *Bedfords*, that he knew nothing of it, this was likewiſe atteſted by my Lord *Baget*, and by one Mr. *Philip Howard*, with many Circumſtances, to long to put down in ſo little a Paper. He likewiſe produced in Court, his two Maid-Servants, who atteſted much what the ſame, that the other againſt my Lord *Howard*, as before moſt of them had done, at my Lord *Ruſſels* Tryal, and received much what the ſame Anſwer from the Court, *&c.* that my Lord was not obliged to tell every body he met, how deeply either, he or any body elſe, was concerned in the Plot. *M. Sidney*, having made the beſt defence he could, ſat him down, aud *Mr.* Soliciter General ſumm'd up the Evidence, moſt learnedly and diſtinctly. Firſt, ſhewing the convincing proofs on the Kings ſide, then from Point, to Point, anſwering

anſwering every Objection, urged by the Priſoner, afterwards my Lord *Chief Juſtice* ſum'd up all, moſt learnedly: and methodically, giving the moſt Loyal Directions to the Jury.

After all was done by the Court: the Jury withdrew, and having conſulted upon the Buſineſs about half a quarter of an Hour, Mr. *Sidney*, remaining at the Bar, ſmiling and talking; a Verdict was called, and Oyes, being made after the uſual manner, and the Jury being called over, Mr. *Rogers* the foreman, ſpoke for the Reſt and brought him in Guilty. Thus Judgment at laſt overtook one who was Signalie remarkable for his Violence againſt the laſt King of of bleſſed memory: And for his ſtrange Averſion to Monarchie, he being a perfect Monarch hater.

LONDON. *Printed for* E Mallet, 1683.

THE

# PROCEEDINGS

UPON

# The Bayling

515. L. 2.
78

L Gerard (C.) 2nd Earl of Macclesfield

The L. *Brondon Gerrard*, *Rich. Hambden* Jun. Eſq; *Joh. Trenchard*, Eſq; *Fr. Charlton* the Elder, Major *Wildman*, & *Hen. Booth*, Eſq; lately Committed to the *Tower*, as Perſons concerned in the late Conſpiracy againſt the Life of the King, and to Subvert the Government, who were the 28*th* of this Inſtant *November*, 1683. Bailed before the Judges of his Majeſties Court of *Kings-Bench*, and thereupon Diſcharged from their Confinements in the *Tower*, &c.

UPon or ſoon after the late Diſcovery of a Deſign againſt the Life of his Majeſty, and to Subvert the Eſtabliſhed Government of this Kingdom, amongſt other Perſons, The Lord *Brandon Gerard*, *R. Hambden* Junior, Eſq; *J. Trenchard* of *Taunton* in *Sumerſet-ſhire*, Eſq; Major *Wildman*, *F. Charlton* the Elder; and *H. Booth*, Eſq; being apprehended, were after ſome Examination Committed Priſoners to the Tower, when as no Proſecution being made againſt them, they according as the Statute of his preſent Majeſty, made for the Preſervation of the Liberty of the Subject, directs by their Council, moved at the Bar of the Court of *Kings-Bench*, that they might have their *Habeas Corpus* to be brought into that Court in order to their being Bailed, which upon the ſaid Motion was granted, The *Habeas Corpus* being directed to the *Lieutenant* of the Tower to bring them up as this Day. When between 8 and 9 in the Morning, they were brought in Coaches attended by a ſtrong Guard of Souldiers, and of the *Lieutenants* Servants, and

about

about 9, the Court ſitting, they were Introduced, and made it their Requeſt they might be Bailed, whereupon they were informed that they might be admitted to Bail, to appear the firſt day of the next Term, and ſo *dies in diem* till they ſhould be diſcharged by due Courſe of Law. When *R. Hambden*, Eſq; was further informed, there was an Indictment of *Miſdemeanour* Preferred againſt him; to which he muſt Plead before he could be admitted to Bail, whereupon he deſired that he might be Bailed, and that he would appear, and Plead to it the next Term, but he was informed that it could not be done, and the Kings Council inſiſting that he might be obliged to Plead before Bail was taken, after ſilence was made, the Clark of the Crown bid him hold up his Hand, which he doing the Indictment was Read, Importing that he, *viz. R. Hambden*, Eſq; contrary to his Duty, and Allegiance, had conſulted with divers Evil minded People in order to raiſe Commotions to ſtir up Sedition and the Ancient Government of this Kingdom to Subvert, *&c.* To which he Pleaded not Guilty, and thereupon was ordered to produce his Bail, which he did, *viz.* Four Perſons of Quality, who entered into Recognizances of 5000 l. a piece, and himſelf into a Recognizance of 10000 l. to Appear the Firſt Day of the next Term, and ſo day by day, *&c.* Into the like Recognizances entered the Lord *Brandon Gerard*, and *J. Trenchard*, Eſq; each producing Perſons of great Worth, after which *F. Charlton* the Elder, Major *Wildman*, and *H. Booth*, Eſq; were ordered to name their Reſpective Sureties, which they did, and they being accepted by Mr. Attorny General on the part of the King, Entered into Recognizances of 1000 l. a piece, and the Principals reſpectively into double the Sum to Appear as aforeſaid, each of them giving Sureties as in ſuch Caſes is Required, and thereupon the Lieutenant of the Tower being Diſcharged of his Priſoners, the Guards were ſent away, and they left Intirely at their Liberty, when having paved their Reſpects, attended by their own Servants, they depart the Court.

*Entred according to Order.*

FINIS.

LONDON, Printed for *L.C.* 1683.

515. L. 2.
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The Very COPY of a

# PAPER

Delivered to the

# SHERIFFS,

Upon the Scaffold on *Tower-hill*, on *Friday Decemb.* 7. 1683.

# By Algernoon Sidney, Esq;

Before his Execution there.

*Men, Brethren, and Fathers; Friends, Countrymen, and Strangers;*

IT May be expected that I ſhould now ſay ſome Great matters unto you, but the Rigour of the Seaſon, and the Infirmities of my Age, encreaſed by a cloſe Impriſonment of above Five months, doth not permit me.

Moreover, we live in an Age that maketh Truth paſs for Treaſon: I dare not ſay any thing contrary unto it, and the Ears of thoſe that are about me will probably be found too tender to hear it. My Tryal and Condemnation doth ſufficiently evidence this.

*Weſt*, *Rumſey*, and *Keyling*, who were brought to prove the Plot, ſaid no more of me, than that they knew me not; and ſome others equally unknown unto me, had uſed my Name, and that of ſome others, to give a little Reputation unto their Deſigns. The Lord *Howard* is too infamous by his Life, and the many Perjuries not to be denyed, or rather ſworn by himſelf, to deſerve mention; and being a ſingle Witneſs would be of no value, though he had been of unblemiſhed Credit, or had not ſeen and confeſſed that the Crimes committed by him would be pardoned only for committing more; and even the Pardon promiſed could not be obtained till the Drudgery of Swearing was over.

This being laid aſide, the whole matter is reduced to the Papers ſaid to be found in my Cloſet by the Kings Officers, without any other Proof of their being written by me, than what is taken from ſuppoſitions upon the ſimilitude of an Hand that is eaſily counterfeited, and which hath been lately declared in the Lady *Car*'s Caſe to be no Lawful Evidence in Criminal Cauſes.

But if I had been ſeen to write them, the mat-

ter

ter would not be much altered. They plainly appear to relate unto a large Treatiſe written long ſince in anſwer to *Filmer*'s Book, which by all Intelligent Men is thought to be grounded upon wicked Principles, equally pernicious unto Magiſtrates and People.

If he might publiſh unto the World his Opinion, That all Men are born under a neceſſity derived from the Laws of God and Nature, to ſubmit unto an Abſolute Kingly Government, which could be reſtrained by no Law, or Oath; and that he that hath the Power, whether he came unto it by Creation, Election, Inheritance, Uſurpation, or any other way had the Right; and none muſt Oppoſe his Will, but the Perſons and Eſtates of his Subjects muſt be indiſpenſably ſubject unto it; I know not why I might not have publiſhed my Opinion to the contrary, without the breach of any Law I have yet known.

I might as freely as he, publickly have declared my Thoughts, and the reaſons upon which they were grounded, and I perſuaded to believe, That God had left Nations unto the Liberty of ſetting up ſuch Governments as beſt pleaſed themſelves.

That Magiſtrates were ſet up for the good of Nations, not Nations for the honour or glory of Magiſtrates.

That the Right and Power of Magiſtrates in every Country, was that which the Laws of that Country made it to be.

That thoſe Laws were to be obſerved, and the Oaths taken by them, having the force of a Contract between Magiſtrate and People, could not be Violated without danger of diſſolving the whole Fabrick.

That Uſurpation could give no Right, and the moſt dangerous of all Enemies unto Kings were they, who raiſing their Power to an Exorbitant Height, allowed unto Uſurpers all the Rights belonging unto it.

That ſuch Uſurpations being ſeldom Compaſſed without the Slaughter of the Reigning Perſon, or Family, the worſt of all Villanies was thereby rewarded with the moſt Glorious Privileges.

That if ſuch Doctrines were received, they would ſtir up men to the Deſtruction of Princes with more Violence than all the Paſſions that have hitherto raged in the Hearts of the moſt Unruly.

That none could be Safe, if ſuch a Reward were propoſed unto any that could deſtroy them.

That few would be ſo gentle as to ſpare even the Beſt, if by their deſtruction of a Wild Uſurper could become God's Anointed; and by the moſt execrable Wickedneſs inveſt himſelf with that Divine Character.

This is the Scope of the whole Treatiſe; the Writer gives ſuch Reaſons as at preſent did occur unto him, to prove it. This ſeems to agree with the Doctrines of the moſt Reverenced Authors of all Times, Nations and Religions. The beſt and wiſeſt of Kings have ever acknowledged it. The preſent King of *France* hath declared that Kings have that happy want of Power, that they can do nothing contrary unto the Laws of their Country, and grounds his Quarrel with the King of *Spain*, *Anno.* 1667. upon that Principle. King *James* in his Speech to the Parliament *Anno.* 1603. doth in the higheſt degree aſſert it: The Scripture ſeems to declare it. If nevertheleſs the Writer was miſtaken, he might have been refuted by Law, Reaſon and Scripture; and no Man for ſuch matters was ever otherwiſe puniſhed, than by being made to ſee his Errour; and it hath not (as I think) been ever known that they had been referred to the Judgment of a Jury, compoſed of Men utterly unable to comprehend them.

But there was little of this in my Caſe; the extravagance of my Proſecutors goes higher: the above-mentioned Treatiſe was never publiſhed, nor could be in many years, and moſt probably would never have been. So much as is of it was Written long ſince, never reviewed nor ſhewn unto any Man; and the fiftieth part of it was produced, and not the tenth of that afford to be read. That which was never known unto thoſe who are ſaid to have Conſpired with me, was ſaid to be intended to ſtir up the People in Proſecution of the Deſigns of thoſe Conſpirators.

When nothing of particular Application unto Time, Place, or Perſon could be found in it, (as hath ever been done by thoſe who endeavour'd to raiſe Inſurrections) all was ſupplied by *Innuendo's*.

Whatſoever is ſaid of the Expulſion of *Tarquin*; the Inſurrection againſt *Nero*; The Slaughter of *Caligula*, or *Domitian*; The Tranſlation of the Crown of *France* from *Merovæus* his Race unto *Pepin*; and from his Deſcendants unto *Hugh Capet*, and the like applied by *Innuendo* unto the King.

They have not conſidered, that if ſuch Acts of State be not good, there is not a King in the World that has any Title to the Crown he bears; nor can have any, unleſs he could deduce his Pedigree from the Eldeſt Son of *Noah*; and ſhew that the Succeſſion had ſtill continued in the Eldeſt of the Eldeſt Line, and been ſo deduced to him.

Every one may ſee what advantage this would be to all the Kings of the World; and whether that failing, it were not beter for them to acknowledge they had received their Crowns by the Conſent of Willing Nations; or to have no better Title unto them than Uſurpation and Violence, which by the ſame ways may be taken from them.

But

But I was long ſince told that I muſt Dye, or ſe Plot muſt Dye.

Leaſt the means of deſtroying the beſt Protenants in *England* ſhould fail, the Bench muſt be d with ſuch as had been Blemiſhes to the Bar.

None but ſuch as theſe would have Adviſed with the King's Council, of the means of bringing a Man to death; Suffered a Jury to be packed by the King's Solicitors, and the Under-Sheriff; Admit of Jury-men who are not Freeholders; Receive ſuch Evidence as is above mentioned; Refuſe a Copy of an Indictment, or to Suffer the Statute of 46. *Ed.* 3. to be read, that doth expreſly Enact, It ſhould in no Caſe be denied unto any Man upon any occaſion whatſoever; Overrule the moſt important Points of Law without hearing. And whereas the Stat. 25 *Ed.* 3. upon which they ſaid I ſhould be Tried, doth Reſerve unto the Parliament all Conſtructions to be made in Points of Treaſon, They could aſſume unto themſelves not only a Power to make Conſtructions, but ſuch Conſtructions as neither agree with Law, Reaſon, or Common Sence.

By theſe means I am brought to this Place. The Lord forgive theſe Practices, and avert the Evils that threaten the Nation from them. The Lord Sanctifie theſe my Sufferings unto me; and though I fall as a Sacrifice unto Idols, ſuffer not Idolatry to be Eſtabliſhed in this Land. Bleſs thy People, and Save them. Defend thy own Cauſe, and Defend thoſe that Defend it, Stir up ſuch as are Faint; Direct thoſe that are Willing; Confirm thoſe that Waver; Give Wiſdom and Integrity unto All. Order all things ſo as may moſt redound unto thine own Glory. Grant that I may Dye glorifying Thee for all thy Mercies; and that at the laſt Thou haſt permitted me to be Singled out as a Witneſs of thy Truth; and even by the Confeſſion of my Oppoſers, for that OLD CAUSE in which I was from my Youth engaged, and for which Thou haſt Often and Wonderfully declared thy Self.

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We do Appoint *Robert Horn*, *John Baker*, and *John Redmayne*, to Print this Paper, and that none other do Preſume to Print the ſame.

*Peter Daniel.*

*Sam. Daſhwood.*

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*LONDON*,

Printed for *R. H. J. B.* and *J. R.* and are to be ſold by *Walter Davis* in *Amen Corner*, MDCLXXXIII.

# The PRESENTMENT OF THE GRAND JURY, AT Juſtice-Hall in the OLD-BAYLY.

ſſ. *Ad General' Seſſion' Pacis, Domini Regis tent' pro Civitat'* London, *Necnon ad Seſſion' Oyer & Terminer, & Del' Goal' dicti Domini Regis de Newgate, tent' pro Civitat' pred' apud* Juſtice-Hall *in le Old-Bayly,* London, *die Jovis, Quinto decimo die Maij, Anno Reg. Caroli Secundi nunc Angl' & Treceſimo Sexto.*

WE the Grand Jury, Summoned and Sworn to Preſent all ſuch Offences as we ſhall know to be committed within the City of *London*, do humbly Offer and Preſent to this Honourable Court now ſitting at *Juſtice-Hall* aforeſaid, the Perſons, Grievances, and Offences, here under-named.

Firſt, We take Notice of the Inconveniencies, and many diſmal Conſequences, that have heretofore, and of late, too manifeſtly appeared in and about his Majeſty's Kingdoms and Dominions, by reaſon of the many Audacious, Factious, and Seditious Pamphlets, Libels, and News-Letters, that have been, and are daily, Broached, Printed, and Publiſhed, in and about this City of *London*, and elſewhere; and what Diſaffections and Jealouſies have been thereby raiſed againſt His Majeſty's Sacred Perſon and Government; as hath been publickly Owned and Confeſſed by *James Holloway*, one of the late horrid Conſpirators, to be one of the great Means that ſeduced him, amongſt others, to be of the late Helliſh Conſpiracy and Deſigned Inſurrection againſt his Majeſty's Sacred Perſon, State, and Government.

We therefore think it abſolutely neceſſary, and Requeſt of this Honourable Court, That all Writers, Printers, and Publiſhers, of ſuch Factious and Seditious Pamphlets, Libels, and News-Letters, as well Coffee-Houſe Keepers admitting the ſame to be publickly Divulged, and Read in their Houſes, as others, may be, for Time to come, Proſecuted and Puniſhed for keeping Diſorders, and ſtirring up Commotions and Diſaffections between his Majeſty and his People; or that ſome other ſpeedy Courſe may be taken to ſuppreſs the ſaid Offenders.

We likewiſe take Notice of ſeveral Publick-Houſes that have been erected on purpoſe for Seditious Conventicles; to wit, the Houſe of ------ *Aldwin* in *Catherine-wheel Alley*, another in *Dunnings Alley*, both in *Biſhopſgate-ſtreet*; alſo another in *White-Hart Court* in *Lumbard-ſtreet*, and another called the *Bull and Mouth Meeting* in St. *Martins*, and divers others in and about this City and Liberties; and that notwithſtanding many Reſorters thereto have been taken in ſuch Seditious Conventicles, and frequently Convicted and Puniſhed for the ſame, yet they meet in as great Multitudes as ever, in Contempt of his Majeſty's Laws. We therefore make it our Requeſt, That the Owners and Poſſeſſors of ſuch Publick Houſes be forthwith proſecuted, as Encouragers and Countenancers of Faction; they having a great hand in the Promotion thereof, by conſenting to their Meetings therein as aforeſaid.

We likewiſe take notice of the great Defects of the Pavements, and ill Paſſage thereby, in and about this City, to the Hindrance and Danger of his Majeſty's Subjects paſſing in and about the ſeveral Streets, as well by Night as by Day, upon their lawful Occaſions, and that the Offenders therein ought to be proſecuted for not repairing the ſame in order; whereunto we Preſent,

*John Ayliffe*, Upholſterer, on *Ludgate-Hill*.
*Stephen Ragg*, Apothecary there.
*John Hickes*, Gilder, in the Pariſh of St. *Brides*.
*William Underwood*, of the ſame, Gilder.
*John Conyers*, Apothecary, of the ſame.
*Richard Shepheard*, of the ſame, Gilder.
*Thomas Chard*, of St. *Brides*, Gilder.
*William Wright*, of St. *Dunſtans* in the Weſt, Confectioner.
*William Mercer*, of the ſame, Milliner.
*Jeremy Read*, Plumer.
*John Maſon*, Cordweyner.
*William Feild*, on *Ludgate-Hill*, Dyer.

We further take notice of the great Heaps and Quantities of Rubbiſh, Dirt, and other Filth, that lies in and about the Streets of this City, to the endangering of the Inhabitants thereof in their Healths, and breeding of manifold Diſeaſes, it being very inconvenient to Paſſengers: We therefore humbly offer, and think it reaſonable, That the ſeveral Scavengers in and about the Precincts and Wards of this City, be forthwith Ordered to take ſome ſpeedy Courſe for the removing and carrying away the ſaid Soyl ſo lying in the ſeveral Streets; and that ſuch as they appoint, do frequently call on the ſeveral Inhabitants, for the carrying away of ſuch Soyl as ſhall be made in their ſeveral Houſes, to prevent Diſtempers that may ariſe by reaſon of the Stink thereof this Hot Weather, according to the Duty of their ſeveral Offices; and that ſuch Perſons as are neglecting therein be forthwith Proſecuted for their ſeveral Offences. All which, We humbly Offer and Leave to the Conſideration of this Honourable Court.

*Will. Dodſon.*
*Nich. Charlton.*
*Rich. Maſters.*
*Sam. Hinton.*
*Rich. Newberry.*
*John Bateman.*
*Tho. Darwin.*
*Henry Longuevil.*
*John Wright.*
*Paul Merthwen.*
*Joſeph Cuſſins.*
*Edw. Gellibrand.*
*Rob. Bateman.*
*Rich. Bowcher.*
*William Humbarſton.*

I do Appoint *George Croom* to Print this Preſentment, and that none other Perſon Print the ſame.

*Henry Tulſe* Mayor.

LONDON, Printed by *George Croom*, at the *Blue-Ball* in *Thames-ſtreet*, over againſt *Bernard's Caſtle*. 1684.

A True

# ACCOUNT

OF THE

# PRISONERS

Executed at

# TYBURN.

On *Friday* the 23*d* of *May*, 1684.

With their Behaviour in *Newgate*, since their receiving Sentance at the OLD-BAYLY.

AND

# Dying Confessions

At the place of

# EXECUTION.

AT the late Sessions of Goal-Delivery, which began at Justice-Hall in the *Old-Bayly*, on *Thursday* the 15*th*. of *May*, 1684. Five Persons received Sentence of Death, (*viz.*) *Edward Jackson*, a *Merchant*, or other considerable Dealer in *London*, for High-Treason; in Clipping the Currant Coin of this Kingdom. *John Gower*, a Coach-maker, for Murdering his Wife. *John Smith*, alias *Asbburnham*, a Notorious High-way-man, for the Murder of *Andrew Page*, a Headbourough of *Stoke-Newington*; who with his Watchmen were in Pursuit of the said *Smith* and other Robbers. *Edward Hubbard*, for Robbery of a Girl as she was passing through *Lumbard-street London*: And *Francis Robinson*, for Robbery and Burglary.

As to their Behaviour in *Newgate* after Condemnation, that I might keep to my Title of giving you a true Account, take here the very Words of Mr. *Ordinary*, whose constant Attendance several Hours on each day, and painful Applications for the Eternal welfair of their Immortal Souls, gave him opportunity of knowing it best.

*The Ordinary of* Newgate *being desired to prevent for the Future all false Intlligence concerning the Confessions and Dying Speeches of Malefactors at* Tyburn;

Tyburn; *and conſidering the Preſumption of ſome in Iſſuing out Publickly, pretended Confeſſions, hath been prevailed with, to prevent for the Future what Inconveniency may be conſequent upon ſuch falſe Accounts.*

Some Crimminals who have Dyed *Penitentiary's*, have ſeveral times been Miſ-repreſented to have been hardned in a State of Sinning, of whoſe Happineſs after their Death, the *Ordinary* hath had (in Charity) a fairer Proſpect. Other Dying Criminals have been affirmed to be very Penitent, who have been very inſenſible of the particular Crimes for which they Suffer'd, and in a manner perſiſted in the Denyal of the Perpetration of them. So that it was very difficult for any to Judge Poſſitively, as ſome Pamphleteers did, of the truth of their Repentance; however by publiſhing falſe Accounts of that Nature, ſome poſſibly have been Induced to delay their Repentance to a Dying Hour, and to imagine that ſo ſerious a Work may ſoon be Effected.

Therefore, for the future it is deſired, that the *Ordinary of Newgate* would ſet his Hand to a Faithful Account of the Behaviour and Dying words of Maleſactors Condemned at the *Old-Bayly*, to be Executed at *Tyburn*. Which account will be Printed Authentically only by *George Croom*, the Printer hereof; that ſo the Buyers of ſuch Intelligence, may not be impoſed upon by any falſe Accounts.

Now, whereas it may be expected that the *Ordinary* ſhould give ſome Satisfaction concerning the truth of the Behaviour of the preſent Condemned Priſoners in *Newgate*, during their Preparation by him for their Execution. He thus affirms, that on the laſt Lords-Day being *Whitſunday*, he Preached to them on that Day on this Text of Sacred Scripture, *viz.* On the 8*th* Verſe of the 5*th* Chapter of St. *Matthews* Goſpel. *Bleſſed are the pure in Heart, for they ſhall ſee God.* He obſerved the Condemned Priſoners preſent at the Chappel, to be ſomewhat awakened from their Security in Sinning, whereupon they deſired him to viſit them often, that they might be the better fitted for their End, which accordingly he did: and in thoſe times, the Priſoners *Aſhburnham*, and *Robinſon*, much bewailed their Ungodly Practices, and that they had miſpent much Pretious Time in a purſuit of Vanity, which now they were Convinced, had turned to no better account than Bitterneſs, and Anguiſh of Spirit.

After much plain dealing with them, and enquiring what ſolid Hopes they had of a future happy State, they aſſured me, that they received by a divine Bleſſing, much Illumination, Conviction, deep Humiliation for Sin, and a great deſire after the Happineſs of an holy Frame of Heart.

It would be too tedious to ſet down many Particulars, wherein I was much ſatisfied concerning their Replies to what I Asked them.

As to *Gower*, who was Sentenced for Killing of his Wife, I ſolemnly charged him to deal clearly and ſincerely in the Confeſſion of it.

I could not procure his own Acknowledgment of that horrid Villany. He ſaid, That he had been a great Sinner, and an evil Huſband, in Marrying another Woman while his former Wife was Living. And therefore, after all my Labour with him, I muſt leave him to the Heart-ſearching God.

As for Mr. *Jackſon*, I often viſited him: he confeſs'd that he had been a great Sinner. I hope that he was a true Penitentiary, as having ſequeſtred himſelf from much Company, which he ſaid were willing to give him Viſits, becauſe he would better diſpoſe himſelf to Faſting, Prayer, and the ſtricter Examination of his Heart, and former Courſe of Living.

So

So that in Charity, I hope my frequent Attendance, Counsel, and Prayers, with and for them, was some comfortable Settlement of them in a Prospect of their Happy State, after their *Exit* out of the Land of the Living. *Ita testor.*

I Subscribed this Narrative on the 22*th.* of *May*, 1634. *Samuel Smith* Ordinary of *Newgate.*

*Edward Hubbard* was Reprieved: But the other Four had notice the Execution would be on *Fryday* the 23*d.* Day. Mr. *Jackson* being in a Room in the Press-yard, Devoted himself to Prayer, and other preparations for his Death; continuing all *Thursday* Night in Religious Exercises, much Bewailing his past Sinful Life, but denying the Fact for which he was Convicted: On the 23*d.* in the Morning a Reprieve for some few Dayes was brought him: But the remaining three, *viz. Smith*, *Robinson*, and *Gower*, being as usually brought into the *Chappel*, Mr. *Ordinary* First Prayed very Affectionatly with them, then applied to each particularly, Examining what benefit they had gotten by his Indeavours, and what they had to disburden their Conscience of, beginning first with *John Gower*, who discovered the greatest outward appearance of a Penitent Sinner, saying, that since he received the Sacrament he found his Heart much softened, and that he had felt the motions of Gods Holy Spirit striving with him, to which he had been obedient to his power, expressing himself in tears, yet evaded any Confession that he had Murdered his Wife, making little or no answer thereto when put to him.

*John Smith*, &c. confess'd that he had been guilty of many Robberies on Highway, but denied that he had any hand in the Murder of *Andrew Page* or any other Man; saying, he was satisfied with his Condition, and did not question but in a few hours he should be happy, *&c.*

*Francis Robinson* confess'd his Fact, and said he had made his Peace with God, and what was undone he hoped *Jesus Christ* would make up, and some few other words to that effect.

Mr. *Ordinary* then prayed a second time with them, and promising his utmost assistance at their last hour, left them between Nine and Ten in the Morning. Soon after which a reprieve for some days came also for the said *John Smith* alias *Ashburnham*, so that two only were Executed, *viz. Francis Robinson* and *John Gower*, who being drawn in one Cart, each of their Coffins with them, when they came at the place of Execution, *Robinson* was first tyed up and admonished to say something to the People to warn others to take heed of the like Crimes, *&c.* he refused it, saying, it would signifie nothing, that notwithstanding the many Warnings were given in a year by men that suffered, yet the like Crimes were again committed; That the ill end which now befell him might warn People as much as any thing he could say to them; That the Confession he had to make was to God Almighty: He seemed to bear himself up with a kind of Courage, neither shedding Tears or appearing much dejected.

*John Gower* though also tyed up, did not own the Murther, but gave much heed to Spiritual Advice; and Mr. *Ordinary* praying with them for a considerable time; *Gower* shed many Tears, and to outward appearance more attentively than the other joyned in that Duty; which Prayer being ended, Mr. *Ordinary* was much concerned that he could work in him no Confession, (the rather by reason he neither would deny nor confess it) taking exceeding pains in admonishing him of the danger he run his Immortal

Soul

Soul upon, by concealing his Sins, and going out of the World in such an obstinate Humour; with many other proper Expressions for that occasion. At length *Gower* confess'd softly in his Ear, that he was the Contriver of it, but would not explain it farther, than that he took the Guilt upon himself, and was now to dye for it, and being many times press'd, as well by the Ordinary as also by another Minister who was in the Cart, they could get him to own no more than that he had been the Contriver of it. Yet he desired Mr. *Ordinary* to Pray again; which he did, directing his Petitions to God as the All-searcher of Hearts and Thoughts of Men, that he would work in him a Confession of his bloody Crime, and not suffer him to go out of the World in an Impenitent State, *&c.* That Prayer being ended, the Sheriffs Officers were earnest to hasten the Execution more than once, and were reproved by the Ordinary for being so hasty, when so weighty a Work was a doing, and the Prisoner splitting himself upon so dangerous a Rock.

The other Prisoner *Robinson* then desired they might Sing a Psalm, blaming *Gower* for not Confessing the Murder, saying, He would ruine his own Soul by it: in which Psalm, both the Prisoners seemed to Sing with Affection.

At length, when about an Hour and half was spent in Prayers, and other Endeavours, no Probability appearing of obtaining more from *Gower*, the Ordinary took his leave; and being going out of the Cart, several of the Spectators called to *Gower*, that he would confess whither he did, or did not, Murder his Wife: and seeing himself upon the very brink of Death, he discovered some Trouble upon his Spirit, and Mr. Ordinary returning, and praying it once more, he at last plainly confess'd, That he himself did shoot her with the Pistol, and was alone Guilty of the Murder, desiring Mr. Ordinary to pray with him yet once more which he did very affectionately, and in Words suitable to the Alteration of the Circumstance.

The 3d Prayer ended, the poor Penitent melted into Tears, and became as Ingenious as the little time he had left gave leave, blaming the Indulgence of his Master with whom he was Apprentice, that he suffered them to mispend the Sabbath-days, which was his first Step to Ruine, and that brought him into those Snares.

He confess'd he had Marryed two Wives; but being ask'd if the Wife he last marryed was not consenting to the Murder, or willing it should be done, he wholly cleared her, taking it upon his Death, That she never knew his Country-Wife was so much as come to Town, but that he contrived and committed it all himself.

Just at last, *Robinson* told Mr. Ordinary, that *Jenny Vos* (a notorious Pick-pocket now in *Newgate* under Sentence of Death, but Reprieved upon pleading to be with Child, *&c.*) was his Wife, desired him to remember him to her, and to desire of her she would Reform her Life; and begged that he would give her good Council, and endeavour what lay in him, to reclaim her.

Both the Prisoners then earnestly desiring the Peoples Prayers for their happy Passage into Eternity, the Cart was drawn away, and by God's Blessing, upon the painful Endeavours before mentioned, they departed this World like Men truly sensible of their Condition; and, as far as Man can guess, truly penitent.

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*LONDON*, Printed by *Geo. Croom*, at the Sign of the *Blew Ball* over against *Baynard's Castle* in *Thames-street*. 1684.

515. L. 2
82

A

# TRUE RELATION

Of the EXECUTION of

*JOHN SMITH*, alias *ASHBURNHAM*,

# (For Murder)

At [illegible]*-hill*, near *Tottenham*; where he was alſo Hang'd in Chains, on *Monday* the 26*th.* of *May*, 1684.

AND OF

# Edward Jackſon,

Executed the ſame Day at *Tyburne*, for

# HIGH-TREASON.

WITH

A Copy of a Paper of his own Writing deliver'd in *Newgate*: As likewiſe a true Account of their Behaviour, and laſt Confeſsions, at the ſaid Places of Execution.

WHEREAS at the late Seſſions of Gaol-Delivery held in the *Old-Baily* on *Thurſday* and *Friday*, the 15*th.* and 16*th.* days of *May*, 1684. Five Men received Sentence of Death, (*viz.*) *Edward Hubbard*, *John Gower*, *Francis Robinſon*, *John Smith*, alias *Aſhburnham*, and *Edward Jackſon*; of which Perſons, *Edward Hubbard* was Reprieved from Execution.

And whereas a Warrant was directed for Execution of the reſt on *Friday* the 23*d.* of the ſaid month, the morning of the ſaid *Friday*, Reprieves came for *Edward Jackſon*, and *John Smith*, &c. until the *Monday* following, *Gower* and *Robinſon* only being that day Executed, (from whence ſome believed a Pardon might have ſucceeded;) which time of Reprieve being expired, they were likewiſe Executed on *Monday* the 26*th.* day of *May* before-mentioned; *viz.*

Firſt, *John Smith*, alias *Aſhburnham*, a Notorious Highway-man, whoſe Name hath been in a *Proclamation*, and ſeveral *Gazetts*, in order to his being Apprehended, was Indicted, Tryed, and found Guilty, for the Murder of *Andrew Page*, a Headborough

borough of *Stoke-Newington*, (two or three miles from *London*) in *July* was Twelvemonth, when the ſaid *Page* was in the Execution of his Office with his Watchmen in purſuit of the ſaid *Smith*, &c. and others that had committed divers Robberies on the Road near that Town.

From the time of his Sentence he behaved himſelf very penitently in *Newgate*, bewailing his ill-ſpent time, which now was like to bring him to a ſorrowful and ſhameful End; owning that he had received much Benefit from the painful Endeavours of *Mr. Ordinary*, to whom he confeſs'd he had been Guilty of many Robberies on the High-way, but diſowned that ever he was Guilty of Murder.

On *Monday*, between Seven and Eight in the morning, he was brought out of *Newgate*, put into a Cart, and drawn to the Gibbet that hath for ſome Years ſtood at *Stamford Hill*, near the great Road which leads to *Ware*.

When there, beſides ſeveral Anſwers and Confeſſions he made to the Sheriffs Officers and others, he deſired the Aſſiſtance of a Miniſter; one being ſent for, asked him ſeveral Queſtions, *viz.* If he had Repented him of his Sins? What Hopes he had of a future State? and what Religion he died of? To which he anſwered very readily and properly; and as to his Religion, That he hoped he was a true Catholick of the Church of *England*, a Proteſtant Catholick, or ſuch like Words.

The Miniſter again ask'd, If he had confeſs'd all the Outrages that he had done? for that without Confeſſion and Repentance, there was no Remiſſion to be expected; that he would do well to diſburthen his Conſcience, whether he did kill the Man, *&c.* To all which he anſwer'd, That he was in the Company when he was kill'd; That they were Four in all which had at that time been ſeveral hours upon the Road, Two of which were ſince taken and hang'd; That the Man who kill'd him, *viz.* one *William Hancocke*, is yet alive, and, as he ſuppoſed, in *Warwick* Gaol; That the Conſtable, or he that was kill'd, come up, and took hold of *Hancocks* Bridle, who then diſcharged a Piſtol, and kill'd him; That he himſelf was very near when it was done, but had no hand in his death.

He confeſt himſelf to have been Guilty of Adultery, Fornication, Swearing, Sabbath-breaking, and other great Sins, for which he hoped he had repented: He deſired the Miniſter to pray with him, and after that was ended, he went up the Ladder, deſiring the Prayers of all the Spectators, and ſoon after was turned off. When dead, his Body was cut down, and put into a Frame of Iron fitted, as uſual in ſuch Caſes, afterwards hung up again upon the Gibbet, where it now remains hanging.

*Edward Jackſon*, a *Merchant*, or other conſiderable Trader in the City of *London*, being Indicted at the ſaid Seſſions for High-Treaſon in Clipping the currant Coin of this Kingdom, Tryed, and upon poſitive Evidence found Guilty of the ſaid Indictment, received Sentence to be drawn upon a Sledge to the place of Execution, and there hang'd by the Neck till he was dead.

His Behaviour in *Newgate* after Sentence, was continually moſt lively Expreſſions of a true Penitent Sinner, ſpending his Time in Prayer and other Religious Exerciſes, for the moſt part, Day and Night; and on *Sunday* the 25*th.* was very attentive at the Chappel, where *Mr. Ordinary* preached from that Text of Sacred Scripture, 11*th.* of St. *Matthew's* Goſpel, 28*th.* Verſe, *Come unto me all ye that labour and are heavy laden, and I will give you Reſt.*

On *Monday*, the 26*th.* between Ten and Eleven in the Fore-noon, he was brought from *Newgate*, put into a Sledge, and therein drawn to *Tyburn*, Reading and Praying all the way with a loud Voice; the like not known in the memory of man.

When come into the Cart, he ſpoke to the People with an audible Voice to the effect following, *viz.* That he was Tryed at the *Old-Baily* on the 15*th.* of this month, and found Guilty of Clipping money, *&c.* That he believed in God, and as he expected Relief and Comfort from Jeſus Chriſt, he was as clear as that Child, *(pointing to a little Child;)* That if the Witneſſes againſt him might have been examined apart, they would have been Intrapped, reflecting a little upon the Court; for which he being reproved, he proceeded more moderately, ſaying, He was taken up in *November* laſt, no Bail would be taken; yet no Indictment being againſt him, was at the Seſſions after Cleared by Proclamation; That the Witneſſes againſt him were then in *Newgate*, and had nothing to ſay; That had he been afraid of them, he might then have gone away; That they were to dye themſelves, but got off, and being

being taken up again, had been profecuted and hang'd, unleſs they would peach ſome others. That if he would have given 3 *l.* they would not have accuſed him, or ſerved the Lord Chief Juſtices's Warrant upon him; That he was not afraid, as concluding his Life was in no danger, becauſe he never either Clipt any himſelf, or ſaw others do it; That he would not deny the putting off Four or five Pieces of melted Silver, but he had it of *Nickonſon*; That he had deſerved this Death for his Sins, and he deſired to take Publick Shame to Himſelf; That he forgave all the World, and dyed in Peace, freely forgiving thoſe who ſwore falſly againſt him.

That he had once Hopes the King would have been ſo merciful to have granted his Pardon; That he had offended God in one thing, in ſpeaking of two or three, by reaſon he would fain have ſaved his Life, tho in truth he knew nothing of that kind againſt any man, or was any ways Guilty more than putting off ſome Fillngs or Clippings that were melted down, which he conceived the Law did not reach to puniſh with Death. He ſaid it was a ſad thing he muſt ſo ſuffer; That he came of pretty good Parents himſelf, none of his Family having any Spot amongſt them; That he was likewiſe the Eldeſt Son, (but twenty eight Years of Age;) That he had married into a good Family; for which reaſon, he lamented his Diſgraceful End. He ſpoke much more to this Effect. Then *Mr. Ordinary* Prayed a conſiderable time with him, in which he joyned, and ſung a Pſalm with great Earneſtneſs and Affection.

*Mr. Ordinary* ſaid, The Lord fit you for this great Work, which can be done but once, Death giving us a Proſpect of Eternity; That he would have him eaſe his mind; That he hoped he had concealed none of the Clippers, or any thing to the prejudice of His *Majeſties* Government: To which *Jackſon* anſwered, that *Mr. Ordinary* preſt things very home to him, but he could ſay no more than he had ſaid.

One ask'd him, if he had not put off clip'd money in his Payments; he anſwered, Yes, he had put off many ſcore Pounds of clip'd money; adding, and ſo have you put off clip'd money too. The ſame Perſon again ask'd if it was not newly clip'd; He ſaid, Yes, he believed he had often put off money new clip'd; for he believed *Nickonſon* clip'd his money frequently, but he himſelf never clip'd, or ſee it clip'd.

*Mr. Ordinary* then ask'd if he would pray himſelf; for that he had obſerved him to pray in *Newgate* with much Zeal and Underſtanding: *Mr. Jackſon* ſaid, He was almoſt ſpent (for indeed he prayed ſeveral hours with ſome Intermiſſions of other occaſional Speeches;) howbeit, he fix'd himſelf into a more particular Form of Prayer, in the Words following:

*O Lord moſt Holy, Good and Gracious, Everlaſting and Bleſſed God, how Glorious art thou, Lord God, Thou art a Great God, and a Merciful God, and Thou haſt done for me a Thouſand times more than I deſerved; I confeſs I have been a great Sinner, done thoſe things I ought not to have done, and left undone what I ought to have done: Lord, help me, ſtrengthen my Faith every minute more and more, thoſe few minutes I have to live, that when my Soul and Body parts, my Soul may aſcend up to Heaven; and that he that ſhed his Blood for Sinners, may make my peace with God. Let my Sins be covered, forſake me not, becauſe of my Sins; I have been a great Sinner, I have offended againſt thy Holy Laws, I have humbly confeſt them all.*

At this part of his Prayer, he ſpeaking of his Accuſers and Indictment, ſome Interruption was made, and Queſtions ask'd him.

Alſo ſome of the Sheriffs Officers diſcovering Impatience to have the Execution diſpatched, *Jackſon* ſaid, *Lord, Gentlemen, be not ſo Unkind, I would fain dye in Peace:* Then he proceeded in his Prayer.

*Lord, for Chriſt Jeſus ſake, forgive me all my Sins, I have confeſt them upon my bended knees; Grant that I may be a warning to others, that they may ſpend their Sabbath better, walk uprightly and juſtly, and do nothing contrary to God's Law: Lord receive my everlaſting Soul, Jeſus keep me from the Torments of Hell. One thing more I beg, Lord, bleſs the poor Widow that will be by and by, the Lord raiſe her Friends, and give her grace to undergo this Trouble. And now I part in Peace, I have repented me of all my Sins, and for Chriſt Jeſus ſake enable me with all things neceſſary this day, concluding this my imperfect Prayer, as Chriſt himſelf hath taught me---*Our Father, *&c.*

THE

The Very Words of the PAPER written and delivered by Mr. *Jackſon*, are as followeth.

JOhn Nickonſon *was my School-fellow about Fifteen Years ago, and was born within Four miles of me; about Three years and an half ſince he came up to* London, *and came to me, deſiring me to help him to a Place, which I endeavour'd to do all that I could. At laſt he got a Place with Sir* Paul Neal *in* Eſſex-Buildings, *with whom he liv'd, as I take it, about Three quarters of a year, I was bound with him for his Honeſty in a conſiderable Sum of money to the ſaid Sir* Paul——*After he left that Employ, he came to me with a ſecond Application, and, I think, had no Employment ſince, only I ſent him divers times to receive and pay money for me in City and Country.*

Thomas Martin *was my Country man, and born about Five miles from me; he often borrow'd money of me, which he ſometimes did, and ſometimes did not return: I had no great Intimacy with him, only when I ſaw him, I ſhew'd him reſpect for Countreys-ſake.*

*As for* Thomas Hickam, *he was once at my Houſe, and I do not remember that I was ever in his Company above three or four times in my Life.*

*Theſe three ſwore that I Clip'd the King's Coin. My Tryal was on the* 15th. *Day of* May, 1684. *Now, as I am a Dying Man, and ſo have no reaſon to leave the World with a Lye in my Mouth, I profeſs, That I am not Guilty of what they the aforeſaid Perſons have Sworn againſt me; viz. That they never ſaw me Clip Money, nor that I never ſaw any of them Clip Money. As for Nickonſon, he has had ſeveral Sums of Money of mine in his Hands, which I do believe he did Clip, but I never ſaw him do it.*

Nickonſon *and* Hickam *Swore at my Tryal, That they melted Clippings at my Houſe. I remember they came on a Saturday to my Houſe, and deſir'd the Privacy of a Room; I ask'd them for what? They replied, For no Harm: So I told them, they may. I went up and down the City about my Buſineſs; and it ſeems they had ſent a Porter for a Basket of Charcoals. At my Return, they were in the Warehouſe, and ſaid, they had done their Buſineſs.*

*About the latter end of laſt Summer was two Years,* Nickonſon *brought me two pieces of melted Silver, (I think the Goldſmiths call them Pigs or Wedges) which I ſold to Mr.* Hutchinſon, *a Goldſmith, at* Chelmsford, *who was an Evidence at my Tryal that I ſold it to him.*

*Some time after,* Nickonſon *brought me two Pieces more, which I diſpos'd of to Mr.* Bullock *at the Horſe-ſhoe in* Cheapſide, *Goldſmith. Of both theſe I had ſome Benefit or Profit for the Diſpoſal. And this is all I was concern'd in; which I declare on the Words of a Dying Man, to be as near Truth as I can remember: and that as to any actual or perſonal Clipping, or diminiſhing the King's Coin, I am as Innocent as the Child in the Mothers Womb.*

*May* 20. 1684. Edward Jackſon.

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## POSTSCRIPT.

IT was obſervable, That after Mr. *Jackſon* had Pray'd himſelf, he deſired Leave of the Ordinary, That another Miniſter might Pray alſo; and after that, he deſired Mr. Ordinary himſelf to Pray once more: Both being ended, the Executioner proceeded to do his Office; in which Juncture, before the Cart was drawn away, he uttered many Heavenly Expreſſions, with ſuch Paſſion, Loudneſs, and Earneſtneſs, that he melted Hundreds of Spectators into Tears.

I Subſcribed this Narrative on the 26*th.* of *May*, 1684. *Samuel Smith* Ordinary of *Newgate.*

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*LONDON*, Printed by *Geo. Croom*, at the Sign of the *Blew Ball* over againſt *Baynard's Caſtle* in *Thames-ſtreet.* 1684.

THE

# Sufferers LEGACY to Surviving Sinners:

OR,

# Edmund Kirk's Dying Advice to Young Men,

VVrote by his own Hand in *Newgate*, and delivered to his Friend with a desire the same might be Published, on *Friday* the 11*th.* of *June*, 1684. Being the day on which he was *Executed* at *Tyburn*, for *Murthering* his *Wife*.

*Dear Country Men,*

I Cannot but be very sensible under the condition into which my Crimes have justly involved me, how little I deserve your pity. But yet as I am now come to the last period of my Life, and going before another Tribunal to answer for what I have here don amiss, before the great Judge of *Heaven* and Earth, I hope you'l so far lay by your just animosities against me, as to give me a hearing, nor can I think of any way so proper to improve the few Minutes I have yet by the mercy of the Almighty spared me, as in setting down the steps and degrees by which iniquity hath taken hold of me: that the sad fate I am now to suffer, as the due and regular Consequence thereof, may be a warning to others; not only, to avoid such gross and heinous Crimes, for which I now stand Condemned, but also those lesser and more remote Evils which were the forerunners hereunto.

*Let him that stands take heed least he Falls*, the best do need this Caution, and had I not thought my self two secure and trusted to my own strength, more then the grace and assistance of the Almighty, this Condition had never been mine. I thank God I was born of good Parents, whose kind instructions and Pious Counsel I rebelliously neglected: Which neglect, as I am in the first place humbly to beg God and their Pardons for, so must I acknowledge that I firmly believe the same, to have a great influence on my present fate; for as the *Command* hath said *Honour thy Father and Mother that thy days may be long in the Land which the Lord thy God hath given thee.* So, I cannot but Judge that the shortning of mine, hath been in some Degree or Measure for this my Crime, nor is it less than the greatest aggravation of what I suffer, next to that of offending my God, that in this Ignominious Death, I am justly Condemned ... ght shame upon my Family and doubled the pains on my Mother that bore me; this tho it was the Sin of my Youth, yet where I began to Transgress, I thought fit to Confess. Therefore *Young-Men Young-Men!* as ye love your Immortal Souls, and expect to live happily here, and enjoy Everlasting Bliss hereafter, be not Disobedient to your Parents, but learn by my Example to avoid this Crime; which was the beginning of those many, I have been since Guilty of.

In the next place, I would use the advice of *Solomon*, in the 12*th.* of *Eccle.* and the 11*th.* Verse, *remember now thy Creator in the Dayes of thy Youth, while the Evil Days come not, nor the Years draw nigh; wherein thou shalt say I have no Pleasure in them.*

With me alas! the *now* is almost past over; wherein I ought to have remembred my *Creator*, and the hours are upon me, In which I have no Pleasure, no Comfort or Content, in the revolution of my former misspence of those Seasons, and Opportunities that God gave me, but a sad and Doleful remembrance how often I have refused the offers of Grace; and despitefully rejected the motions of God's Holy Spirit, which Day by Day was as a Remembrancer under my Pillow, to rouse and stir me up from a Careless and Sleepy Security in the state of Wickedness and Sin fuality which I then lay. But all in vain: Sin had Possession of me; and with her inticeing Dalliances and Bewitching Allurements, (which were then as a sweet and grateful Morsel in my Mouth, but now as bitter as the pangs of Death it Self) Betrayed me, and Hurried me from one Degree of Bad to another, till I had accomplished the last course of Iniquity, for which I now Groan.

But tho God's just Judgment hath deprived me of my Opportunity to Serve him as I ought; and left me but a few Minutes to make my Peace with his offended Majesty: yet to you that survive a Day, and Time is offer'd, if you improve it, Your **now**, is at present: but how long it may last, before the Night cometh upon you, wherein you can do no Work; is in the Breast alone of God Almighty, who will not be Delayed or put off, when the World and the *Devil* hath had the first and best of your Youth and Strength, with the Lees and remainders of old Age and Impotence. It is not enough to give over Sin, when old Years incapacitate ... for commission thereof: this thou owest to thy Imbecility and Weakness, and canst not discern whether 'tis thy will or want of Power that makes thee then leave off: 'tis in the midst of thy Youth, when thy Blood Boyls, and thy ... Spirits are in Fermentation; that thou must put a stop to thy Carieres of Sin and Vanity, and seek and serve thy Creator.

Had I taken this Advice, I had never left my God; and consequently had never been left by him: but so it is, that the great Deceiver of Souls, if he can but make us put off, or quench our Young Desires to the Things of God and our own Souls; in which there is only true and lasting Pleasure to be obtained: he lays before us, in all her Gaudy Embellishments, and enticeing Braveries, the Lust and Vanities of this naither World: with which we are as it were Spirited and Stolen away from the Land of true Enjoyment, to drudge in the Mines of Slavery and Infelicity: and yet as if there were no better Life, we go on Contentedly, and like Born Bond-slaves sing at the Oar, and think our selves Happy.

But dear Country-Men, look to it be times, and let my Fate be your Example. Time was when I had as great a delight in Vanity, as the most Debauched amongst you The Day was lost in my apprehension, in which I met no Jovial Companion to Drink or Carouse away my Hours; the Night misspent, that was not Improved in the Embraces and Dalliances of some Dalilah. The Sentence came dully and insipidly from my Lips that was not Graced with an Oath; and I looked on my self with shame when I let slip an Injury without a Revenge. But could you stand in my Place; and feel the Pangs that I bare; or hear the Rebukes that my Conscience gives me: You would say as I do, that if I had ten Thousand Worlds at my disposal, I would give them all for a quiet Conscience, and a sight of Forgiveness with God Almighty, through the Blood of my dear Redeemer *Christ Jesus.* You would then say that the Pleasures of Sin were as *Thorns* and *Briers* in your Sides: the Debauches and Excess of Company, the worst of all Pains and Trouble: the Embraces of your Beloved and Endeared Harlots Vanity and Vexation of Spirit: your Oaths and Execrations a fighting a gainst the Almighty, and Contending with Omnipotence, and the love of Revenge: the seeds of Murder. think of this at present, and shun my Fate:

For had it been formerly told me, I should ever have come to this End, or have done that crying Sin of Murder; for which I justly stand Condemned: I should certainly have answered in the Words of *Hazael*, to the Prophet *Elisha*, when he inquired of him the reason of his Weeping, *Because* sayeth the Prophet, *I know the Evil that thou shalt do unto the Children of* Israel: *for their strong Cities shalt thou set on Fire; and their* Young-Men *shalt thou slay with the Sword; and shalt dash their Infants against the Stones; and rent in Peices their Women with-Child.* To which *Hazael* replied, *what is thy Servant a Dog, that I should do this great Thing*: yet all this, was afterwards Accomplished by him; and in like manner, giving way to the beginnings of Vice, have I run this Course, till my guilty Hands were all over Imbrued in Innocent Blood: And justly therefore may I cry out and exclaim against my self, that I am now worse than the Brute that Perisheth; and I have nothing of Cleanliness or Humanity about me. But O...! Lord my God look down upon me, and *Rebuke me not in thy Anger; neither Chastise in thy Wrath: for thine Arrows have light upon me, and thy Hand lieth upon me; there is nothing Sound in my Flesh, because of thy great anger; neither is there Rest in my Bones, because of my Sin; for mine Iniquities are gon over my Head: and as a weighty Burthen they are too heavy for me. My Bones are Putrified and Corrupt because of my Foolishness. My Eyes are full of Burning, I roar for very Grief of my Heart. But O Lord I power mine whole desire before thee; and my sighing is not Hid from thee.* It may be now expected that I should give some account what were the Reasons and Motives that Instigated me to this Crime. But alas! when I consider the slender Inducements I had thereunto, I must only clap my Hand upon my Breast, and confess it was the Evil Counsellor within me, my own vile and Corrupted Heart, that agreed with the Seducements of *Satan*, to bring this Tragedy to an Accomplishment.

What was the first chief cause that was the occasion of my Disagreement with my Wife, was her Humour, (which I could now wish I had complied with; it being as I really believe for my Good) to follow me from place to place, and hinder my associating my self with Lewd and Debauched Company: which Disagreement, tho at first it was no more than as a small Spark, yet by degrees, the same was blown up to so great a Flame of Dissention, that the Devil told me, no less than her Innocent Blood, could give me a proper Satisfaction for: and upon this, it was that I contrived and perpetrated this Horrid and abominable Fact, for which I now Suffer a greater load of Grief than if Rocks or Mountains overwhelmed me: and had not God of his Mercy, cast in some Beams of his Favour upon me, to support me in this my Doleful Imprisonment; I had long ere this sunk under the weight thereof. Nor can I but observe how just the Almighty hath been in my Punnishment, in leaving me to commit this cruel and unnatural Sin, on that very Day which I had so often abused; not only in the neglect of those Ordinances and Assemblies which I ought to have followed and frequented; but in the Commissions of those Excesses, which at other times my Business and Imployment in the World, never afforded me so great a leisure for. Whence I would beg and entreat in the Words of a Dying Man, who stands within the prospect of Eternity, all those that are my Acquaintance, and others that value their own Souls, that they would remember to *keep Holy the Sabath Day*: for God hath commanded it, and he is both a Jealous and a good God: *and as he visiteth the Iniquity of the Fathers upon the Children unto the third and fourth Generation of them that hate him; so he shews Mercy unto thousands, of them that love him, and keep his Commandments.* And believe me dear Friends, what ever the *Devil* may Suggest unto you at present, he'l change his note, (as he hath done with me) when you come so near Death as I am: those Sins which he once told me were scarce to be observed, he now aggravates with the greatest loads of Aspersion: insomuch, that were it not for the sight of my Saviour, who Dyed and Suffered for me; I shoud wish that a Mill-stone were hung about my Neck, and the Seas Bottom was my Eternal Grave: but in him is my Truste, in him is my Hope, and thro him I am ... he: bitter Cup prepared for me. In which ... preserve me, *Amen.*

*Edmund Kirk.*

*From* NEWGATE
*July*, 11*th.* 1684.

## His PRAYER.

*MOST Gracious Merciful and Eternal Lord God, thy poor Sinful and Condemned Creature is here approached the Throne of thy Mercy, Confessing, that as I have been a great and Heinous Sinner before thee, so nothing less than the Infinite Mercy of thy Almightiness it Self can ever Pardon me. But thou, O Lord, art a God of Mercy, a God of Love and free Grace; and when Sinners approach unto thee, tho their Crimes be as Scarlet, thou canst make them as white as* Snow, *and hast promised so to do: Therefore Good and Gracious Lord, under the Comfort and sense of that Promise, I cast my self down before thee, Beseeching that thou wouldest wash and Cleanse my blotted and Leprous Soul, in the Blood of my Saviour and Redeemer Christ Jesus; O Lord I am Defiled; But he is Clean, I am a Sinner, a great and crying Sinner; But in him was no Guile found. I have offended thee; But he Sufferr'd for me. I have been a Murderer; But he was Murdered for the sake of Sinners, amongst whom I am Chief. Lay therefore the burthen of my Sins upon the Cross of my Saviour, and let them not rise up in Judgment against me, at such time as I approach thy Tribunal: It is but a short time, and the Day will be here, a few Minutes that I have to Live; the Sands of my Life are near Wasted, and I must take a farewell of this World, in the midst of Health and Strength, and this through my own Crimes; so that I may charge my own as well as her Blood, which I wickedly and Murtherously shed, at my own Door. For which Crime, as I am justly made an Example to all the World, in a shameful and Ignominious Death. So, O Lord, let this my Fate, deter and warn others from those Courses that lead thereunto, that no other Person may ever fall into that Snare that I am Entangled in, but that my Sufferings may be as a Sea-Mark to others to avoid those Shelves and Sands I am now Sunk into. But, do thou, O Lord, Forgive me, do thou, O Lord, receive me to thy Self, when my Soul and Body shake Hands each of the other, that I may dwell Eternally with thee in Everlasting Bliss. All which I humbly beg for the Sake and through the Mediation of Christ Jesus. To whom, with thee and thy Holy Spirit be ascribed all Honour, Power and Glory, now and for evermore,* Amen.

*London*, Printed by *Geo. Croom*, in *Thames-street* over against *Baynard's Castle*. 1684. 62.

# The most Humble
# CONFESSION,
## AND
# RECANTATION
## OF
# Edmund Hickeringil, Clerk,

Publickly Made, Read, Sign'd and Sealed in the

## COURT of ARCHES;

Held before the Right Worshipful, Sir *Richard Lloyd*, Knight, and Doctor of Laws, in the absence of the Right Worshipful Sir *Robert Wiseman*, Knight, and Doctor of Laws, Principal Official of the said Court; in the Common-Hall of Doctors Commons, *London*, on *Fryday* the 27*th* day of *June*, in the Year of our Lord, 1684.

WHEREAS I *Edmund Hickeringil* Clerk, Rector of the Parish Church of *All-Saints* in *Colchester*, in the Dioceſs of *London*, and Province of *Canterbury*, have, at the Promotion of the Right Reverend Father in God, *Henry*, by Divine Permission, Lord Bishop of *London*, my Reverend Diocesan, been rightly and duly proceeded against in this Court, for Solemnizing, or rather Prophaning of Marriages, between several Persons in my said Parish Church, Clandestinely, without their Matrimonial Bannes being in their respective Parish-Churches first published, and denounced, or any License from Ecclesiastical Authority, being first had and obtained (though I made each Couple pay 5 *s.* for such License) in Contempt of the Law, and Canons, and Constitutions Ecclesiastical, in that behalf provided, and upon Legal proof thereof made, have been, by Sentence in this Court, justly decreed (amongst other things) to be suspended for the same, for three years, according to the said Canons; and was by the said Sentence actually suspended accordingly, under which Sentence of Suspention I still continue, the said three years being not yet expired. And whereas during the dependance of the said Suit, I appeared several times in the said Court, and there demeaned my self with great Impudence, denying the Jurisdiction thereof, to the great Affront of his Grace, the most Reverend Father in God, the Lord Arch-bishop of *Canterbury*, Primate of all *England*, and Metropolitan (whose Court it is) refusing to be uncovered, and to give that Respect and Reverence, which is justly due to the same, indeavouring by my insolent and unmannerly Carriage and Behaviour there, to put all the Affronts, and the highest Contempts that I could, upon the said Court, and to expose it to the Scorn of the Rabble that attended me there. And moreover, whereas I have lately, in several Libellous Books and Pamphlets, by me Written and Published, and particularly in these Books and Pamphlets, Intituled as followeth, *viz.* *The Second Part of Naked Truth*: *The Vindication of Naked Truth*: *News from Doctors Commons*: *Scandalum Magnatum*:

*tum : Tryal at Chelmsford : The Muſhroom : The Black Non-Conformiſt : The Man-Catcher, and the Hiſtory of Whiggiſm*, Publiſhed and Printed ſeveral Scandalous, Erroneous, and *Seditious* Principles, againſt His moſt Sacred Majeſty, and Government Eccleſiaſtical, to the Violation of my Duty, as a Subject, and a Prieſt, in Contempt of the Holy Church, and in Derogation of Eccleſiaſtical Juriſdiction, and the Authority of the Biſhops, and Eccleſiaſtical Judges; by which means I have fomented and incited the Factious and Phanatical Party to Contemn the Government of the Church, as by Law Eſtabliſhed, and to perſiſt in their Errours and *Sedition*, to the great diſturbance of the Peace of this Church and Kingdom.

Now I, the ſaid *Edmund Hickeringil*, being truly, and deeply ſenſible, of the Heighnouſneſs of my Crimes, and Offences herein, and being truly, and heartily ſorry for the ſame. And taking ſhame to my ſelf, for having ſo highly offended Almighty God, the Kings moſt Sacred Majeſty, the Holy Church; and been ſo Scandalous to my Sacred Function, as a Prieſt, in particular, and as a Chriſtian, to all Good People in general, do here openly, and in the Face of this Court, voluntarily, freely, and humbly acknowledge, and Confeſs, the Heynouſneſs of my ſaid Crimes and Offences, as alſo, that the ſaid Court, hath moſt juſtly Proceeded againſt me for the ſame. And I do alſo here publickly in the Face of this Court, Voluntarily and freely Recant, and Retract all, and every of thoſe Scandalous, Erroneous, and *Seditious* Principles, which I have publiſhed, and Printed, in my beforementioned Libellous Books, and Pamphlets, or in any of them. And I do here earneſtly, and heartily, beg forgiveneſs, of all my above-mentioned Crimes, and Offences againſt God Almighty, the Kings moſt Sacred Majeſty, the Holy Church, the Reverend Biſhops, and Eccleſiaſtical Judges, and more particularly againſt my moſt Reverend Metropolitan, and my right Reverend Dioceſan, and againſt this Court, againſt the Venerable Clergy of this Land, and againſt all Good Chriſtian People. And do here ſolemnly, and Seriouſly Promiſe, that (by Gods aſſiſtance) I will never for the Future, offend in the like nature again. And that all People may be ſatisfied of the truth, and ſincerity of my Repentance, for theſe my Crimes and Offences, I do now make it my humble requeſt, to this Court, that this my Confeſſion, and Recantation, may be forthwith Printed and Publiſhed. In witneſs whereof I have hereunto ſet my Hand and Seal this 27*th*, day of *June*, in the year our Lord, 1684.

*Edmund Hickeringil.*

THIS Confeſſion and Recantation, was Read, Signed, and Sealed by the ſaid *Edmund Hickeringill* in the Court, &c. as aforeſaid.

*Ita Teſtor* Thomas Tyllot *Actuarius Deput.*

*FINIS.*

---

I *Do appoint* Benjamin Tooke *to Print the Recantation of* Edmund Hickeringill.

Richard Lloyd.

*London* Printed for *Benj. Tooke*, at the *Ship* in St *Paul's Church-Yard*. 1684.

E 98

# The most Humble CONFESSION, AND RECANTATION OF Edmund Hickeringil, Clerk,

Publickly Made, Read, Sign'd and Sealed in the

## COURT of ARCHES;

Held before the Right Worshipful, Sir *Richard Lloyd* Knight, and Doctor of Laws, in the absence of the Right Worshipful Sir *Robert Wiseman*, Knight, and Doctor of Laws, Principal Official of the said Court; in the Common-Hall of Doctors Commons, *London*, on *Fryday* the 27*th* day of *June*, in the Year of our Lord, 1684.

WHEREAS I *Edmund Hickeringil* Clerk, Rector of the Parish Church of *All-Saints* in *Colchester*, in the Diocess of *London*, and Province of *Canterbury*, have, at the Promotion of the Right Reverend Father in God, *Henry*, by Divine Permission, Lord Bishop of *London*, my Reverend Diocesan, been rightly and duly proceeded against in this Court, for Solemnizing, or rather Prophaning of Marriages, between several Persons in my said Parish Church, Clandestinely, without their Matrimonial Bannes being in their respective Parish-Churches first published, and denounced, or any License from Ecclesiastical Authority, being first had and obtained (though I made each Couple pay 5 *s.* for such License) in Contempt of the Law, and Canons, and Constitutions Ecclesiastical, in that behalf provided, and upon Legal proof thereof made, have been, by Sentence in this Court, justly decreed (amongst other things) to be suspended for the same, for three years, according to the said Canons; and was by the said Sentence actually suspended accordingly, under which Sentence of Suspention I still continue, the said three years being not yet expired. And whereas during the dependance of the said Suit, I appeared several times in the said Court, and there demeaned my self with great Impudence, denying the Jurisdiction thereof, to the great Affront of his Grace, the most Reverend Father in God, the Lord Arch-bishop of *Canterbury*, Primate of all *England*, and Metropolitan (whose Court it is) refusing to be uncovered, and to give that Respect and Reverence, which is justly due to the same, indeavouring by my insolent and unmannerly Carriage and Behaviour there, to put all the Affronts, and the highest Contempts that I could, upon the said Court, and to expose it to the Scorn of the Rabble that attended me there. And moreover, whereas I have lately, in several Libellous Books and Pamphlets, by me Written and Published, and particularly in these Books and Pamphlets, Intituled as followeth, *viz.* *The Second Part of Naked Truth*: *The Vindication of Naked Truth*: *News from Doctors Commons*: *Scandalum Magnatum*:

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Now I, the ſaid *Edmund Hickeringil*, being truly, and deeply ſenſible, of the Heighnouſneſs of my Crimes, and Offences herein, and being truly, and heartily ſorry for the ſame. And taking ſhame to my ſelf, for having ſo highly offended Almighty God, the Kings moſt Sacred Majeſty, the Holy Church; and been ſo Scandalous to my Sacred Function, as a Prieſt, in particular, and as a Chriſtian, to all Good People in general, do here openly, and in the Face of this Court, voluntarily, freely, and humbly acknowledge, and Confeſs, the Heynouſneſs of my ſaid Crimes and Offences, as alſo, that the ſaid Court, hath moſt juſtly Proceeded againſt me for the ſame. And I do alſo here publickly in the Face of this Court, Voluntarily and freely Recant, and Retract all, and every of thoſe Scandalous, Erroneous, and *Seditious* Principles, which I have publiſhed, and Printed, in my beforementioned Libellous Books, and Pamphlets, or in any of them. And I do here earneſtly, and heartily, beg forgiveneſs, of all my above-mentioned Crimes, and Offences againſt God Almighty, the Kings moſt Sacred Majeſty, the Holy Church, the Reverend Biſhop, and Eccleſiaſtical Judges, and more particularly againſt my moſt Reverend Metropolitan, and my right Reverend Dioceſan, and againſt this Court, againſt the Venerable Clergy of this Land, and againſt all Good Chriſtian People. And do here ſolemnly, and Seriouſly Promiſe, that (by Gods aſſiſtance) I will never for the Future, offend in the like nature again. And that all People may be ſatisfied of the truth, and ſincerity of my Repentance, for theſe my Crimes and Offences, I do now make it my humble requeſt, to this Court, that this my Confeſſion, and Recantation, may be forthwith Printed and Publiſhed. In witneſs whereof I have hereunto ſet my Hand and Seal this 27*th*, day of *June*, in the year our Lord, 1684.

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*Ita Teſtor* Thomas Tyllot *Actuarius Deput.*

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I *Do appoint* Benjamin Tooke *to Print the Recantation of* Edmund Hickeringill.

Richard Lloyd.

*London* Printed for *Benj. Tooke*, at the *Ship* in St *Paul's Church-Yard.* 1684.

E. 98

A FULL

# ACCOUNT

OF THE

## Apprehending Sir *Thomas Armſtrong* at *Leyden*,

515. L. 2 p. 6

With the manner of his Deportment, at the time of his Apprehending, and during his Voyage to his Commitment to *Newgate*:

SIR, *As it was ſent in a Letter to a Friend in* London.

SOme few days ſince the Honourable *Thomas Chidley* Eſq; Envoy Extraordinary to the States-General of the *United Provinces*, having notice that ſome of our *Engliſh* Traytors were in this place, immediately ſent Mr. *Conſtable*, and Mr. *Manley*, (his Secretary and Steward) to apprehend all thoſe he could find; who accordingly coming hither, in a ſhort time found ſeveral *Engliſh* and *Scotch* Gentlemen, amongſt whom was Sir *Thomas Armſtrong*, very jocular, merry, and publickly walking the ſtreets: Whereupon he came to our *Head-Bellew* (which is here as your Under-Sheriff in *England*) and acquainted him, that his Maſter the Embaſſador deſired his aſſiſtance to apprehend a certain *Engliſh* Gentleman named Sir *Thomas Armſtrong*; who very readily complied, and immediately taking to his aſſiſtance his ſeveral under-Officers, went with Mr. *Conſtable*, and found Sir *Thomas Armſtrong* in Company with five or ſix *Engliſh* and *Scotch* Gentlemen. Upon their entrance into the Room, they were all ſtartl'd; but the *Bellew* (accompanied with Mr. *Conſtable*) briskly asked, which was the man he was to apprehend? Then Mr. *Conſtable* ſtepping up to Sir *Thomas*, laid hold on him, ſaying, *This is the man; and you muſt go along with me into* England; But he told him *he would ſee him hang'd firſt. Nay* (ſaid Mr. *Conſtable*) *you ſhall go, and I doubt not but to ſee you hang'd e'r I come from* England; *or at leaſt hear you are hang'd.* He made ſome oppoſition, but to no purpoſe. His Company ſeeing the ſtir, ſneak'd all away; But the Officers ſoon got him on board a Ship, and loading him with Irons, hoiſted ſail for *England*. He behaved himſelf after a very ſurly manner during the Voyage, ſo that they were forc'd to watch him narrowly. He had two Servants to attend on him, who are alſo come over. On *Wedneſday* morning the 11*th.* inſtant (*Old ſtile*) about four of the clock he was landed at *Tower-wharf* near the Traytors Gate, from whence he was conducted to *Newgate*, where he now remains till His Majeſty is pleas'd to command him to be brought to Juſtice. The Lord *Melvin* was in his Company, but not being known, he made his eſcape. It hath been ſtrongly reported, That the Lord *Gray*, Parſon *Ferguſon*, and the perſon who ſhot the late Biſhop of St. *Andrews*, were in Company with him; but the truth of that is much queſtioned. This is all from

*Leyden, June* 9 *ſtilo novo*, 1684.

Your humble Servant,

*M. T.*

POSTSCRIPT.

*There hath been ſtrange Rumors ſpread about Town, That his Grace the Duke of* Monmouth *is dangerouſly wounded; ſome ſay in a Duel, and others by a ſtab in the back from a* Spaniard; *but 'tis thought to be barely report.*

Printed by *N. T.* at the Entrance into the *Old-Spring-Garden*, 1684.

L 98

# A LETTER From AMSTERDAM To *M. C.* in *LONDON.*

575. L. 2. 87

Diſcovering the taking of

## Sr. Thomas Armſtrong

With the narrow Eſcape of

My Lord *Gray* and Mr. *Eerguſon* at

# LEYDEN IN HOLLAND.

WE live in an Age not over prone to admire and take notice of any Inſtances of Divine Providence either in our Preſervation from dangers, our Deliverance out of them, or our falling into them, for ſo great is the ſecurity of ſome Men that they are unwilling to apprehend any danger till they fall into it, and if they eſcape for a time will hardly believe that they were ever in it.

Such is the Caſe of this ungrateful Rebel, an Arch Traytor, Sir *Tho. Armſtrong*, who having eſcaped the hands of Juſtice for a time thought himſelf ſecure, but the hand of Providence that has in Mercy protected our moſt Gracious Soveraign from all Wicked Devices, hath at laſt in Juſtice lay'd hold on this deſperate Renegade, and will in time bring him to juſt and Exemplary Puniſhment.

The nature and manner of his being taken, being then my ſelf at *Leydon* the ſame day, I will Diſcover as ſhort as I can.

Sir *Thomas Armſtrong* with the Lord *Grey* and Mr. *Ferguſon* having lain ſome Months at *Berlin* & being ſuſpected upon the account of their Privacy, we had notice ſent by *Juan van Farrenberg*, at whoſe Houſe they then lay, of ſome ſuſpected Perſons, *Engliſh* Men

Men, that had lain in his Houſe for ſome time by the name of *Bowman*, *Bethel* and *Jekiel*.

Mr. *Chudly*, his Majeſties Envoy at *Amſterdam*, having notice thereof made his Application to the States for a Warrant to ſeize them which was granted, but before they got to *Berlin* (whether they had private Information or their Fears ſuggeſted) they were remov'd, and got to *Bremond*, there they ſtayed a while, and might have ſtayed longer had not their zeal or curioſity to ſee the Duke of *Monmouth* in *Bruſſels*, engaged them to take a Pilgramage into *Fanders*.

After this they came to *Amſterdam*, where having ſupply'd themſelves with Trowling Money (for the Bully at this time had thrown away his falſe Dice) they went to *Leyden* which is 12 miles from *Amſterdam*.

Here they had not been 3 days when the Envoy having again notice of it procur'd a Warrant for the ſecureing of them. Whither they had any Information, or ſuſpected any thing, the Lord *Grey* and *Ferguſon* made their eſcapes. But Sir *Thomas Armſtrong* reſolving to Dye upon the ſpot before he was taken adventured to ſtay longer.

The Perſons ſent to ſeize him, being ſo Commanded by the Envoy, were reſolved to take him if poſſible alive. For which Cauſe they made no attempt upon his Lodging, but having notice, he was to go by Water, they poſted themſelves for his Reception at the place where he was to take Boat. Where after they had waited 4 days, at laſt they ſpyed him coming, who was no ſooner in the Boat but 4 of them leapt in after him and the reſt in another Boat ſo ſecur'd him that he cou'd neither do them nor himſelf any prejudice, though he ſeveral times declar'd he wou'd ſonner be kill'd then taken, drew out his Knife to Stab himſelf, and attempted ſeveral times to throw himſelf over Board.

Having thus ſecured and preveuted him from doing any miſcheif to himſelf, they ſoon made to *Rotterdam*, where one of his Majeſties Yats was ready to receive them. On Board of which he is now coming to *London* faſt bound in Chains for fear of doing Violence to himſelf, where you may expect him in a ſhort time, and it is expected the Lord *Grey* and *Ferguſon* will follow in a few days after, they being now in cloſe ſearch of them.

*FINIS.*

*LONDON*, Printed for *J. S.* 1684.

E 90

THE

# PROCEEDINGS

AGAINST

# Sir Thomas ARMSTRONG

Knight.

515. l. 88.

*At the Kings Bench-Bar* Weſtminſter *on Saturday the* 14*th of* June 1684. *In order to an award of Execution of Death, upon Attainder of* HIGH-TREASON *by Out-lawry, for Conſpiring the Death of the King*, &c.

DIvers of the Conſpirators againſt His Majeſties ſacred Life, and the Eſtabliſhed Government upon the Diſcovery of the late Plot flying from Juſtice, and upon being commanded by His Majeſties Proclamation, to Surrender themſelves; into the hands of the Majeſtrate, upon their refuſal or delaying, ſo to do the Kings Attorney General, upon an Indictment of High Treaſon found againſt them in *London*, proceeded to proceſs of out-lawry, which was enter'd up according to Law, and they thereby attainted of the Treaſon ſpecified in the Indictment: Amongſt whom was Sir *Thomas Armſtrong* taken, in *Holland*; upon leave granted by the States General, at the requeſt of His Majeſties Envoy extraordinary &c. Who being brought over in one of His Majeſties Yates, was carryed before the Right Honourable *Stanley Godolphin* Eſq; one of His Majeſties Principal Secretaries of State; and after ſome examination committed to *Newgate*, where he remained till this day, when with a ſtrong Guard, he was brought to the Kings Bench Bar *Weſtminſter*, and the Court being ſet after divers motions relating to private Affairs, Mr. Attorney General moved on the behalf of the King, that ſeeing the Priſoner had been attainted of High Treaſon by out-lawry, for conſpiring the Death of the King &c. Execution might be awarded againſt him, whereupon the Warrant of Commitment was read,

read, and after that he was commanded to hold up his Hand, when as the Clerk of the Crown asked him, that ſeeing he the ſaid Sir *Thomas Armſtrong* Knight, had been found Guilty upon an Indictment in *London* of High Treaſon, and thereupon ſtood attainted of the ſaid Treaſon by out-lawry, what he could ſay for himſelf, why Execution according to Law ſhould not be awarded againſt him, or to this effect, to which he anſwered, that he was beyond the Seas, and knew not of the Proſecution, adding that he was preſent within the Twelve month, ſpecified by an Act of Parliament, for ſurrender in caſe of a Proclamation for High Treaſon *&c.* deſiring the Statute might be read, which was accordingly done, but it not appearing, he had ſurrendered himſelf nor was inclined ſo to do, the Court told him he was not comprehended within the benefit of that Statute, yet he argued that, ſeeing he was in the hands of Juſtice, within the time he ought to have the benefit thereof, and be ſuffered to have a Tryal, deſiring that Council might be aſſigned him to argue the Point, but being over-ruled in that demand, he alledged that a Perſon under the ſame circumſtances, had by the conſent of Mr. Attorney General the offer of a Tryal, to which the Court replyed, it was the Kings pleaſure and mercy, and that the King knew how and when beſt to diſpoſe of it, and that if it was his pleaſure ſo to order, (God forbid) but he ſhould have the benefit of it, or if it was His Majeſties pleaſure to pardon Sir *Thomas Armſtrong* the Court would acquieſs therein, but no ſuch mercy or indulgence appearing, it was the duty of the Court to award Execution *&c.* Then Captain *Richardſon* being demanded what days were uſual for Execution, he anſwered, *Wedneſdays* and *Frydays*, whereupon it was ordered, that he ſhould be Executed on *Fryday* next, and till then the Priſoner remanded to the Priſon from whence he came, but he deſiring that he might be further heard, it was granted, whereupon he required, that he might have the Benefit of the Law &c. But not urging any material point pertinent to the matter in hand, he was anſwered, that he ſhould have the Benefit of the Law, and thereupon, Captain *Richardſon* was charged to ſee him Executed according to Law. Then Mr. Attorney Informed the Court, in part of the Evidence againſt the Priſoner, but was anſwered, that the Court could not take notice of any thing in that nature, but what was before them: So that in fine, the Priſoner was reconveyed to *Newgate*, in order to his Execution on *Fryday* next.

*LONDON*, Printed for *A. Banks.* 1684.

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# THE PROCEEDINGS AGAINST Sir Thomas Armstrong, Kt.

515. l. 2.
89

## In His Majesties Court of *Kings-Bench*, at *Westminster*, upon an Outlawry for High-Treason, &c.

## AS ALSO

## An Account of what passed at his Execution at *Tyburn*, the 20*th*. of *June* 1684. Together with the Paper he delivered to the Sheriffs of *London* at the same Time and Place

*De Term. S. S. Trin. Anno Regni Regis* Carol. II. *xxxvi. Die Sabbati*, 14. *Junii An. Dom.* 1684. *B. R.*

*Dominus Rex versus* Thom. Armstrong, *Mil.*

THis day Sir *Thomas Armstrong* was brought to the Bar of the Court of *Kings-Bench* at *Westminster*, by Vertue of a Writ of *Habeas Corpus* directed to the Keeper of the *Goal* of *Newgate*; which Writ was on His Majesties behalf moved for on *Thursday* last by Mr. Attorney General.

The return of the Writ was Read by the Clerk of the Crown, by which it appeared he was in the Custody of the Keeper of *Newgate*, by a Warrant from the Honourable *Sidney Godolphin*, Esq; one of His Majesties Principal Secretaries of State; which Warrant followeth *in hæc verba.*

Sidney Godolphin, *Esq; one of His Majesties most Honourable Privy Council, and Principal Secretary of State.*

THese are in His Majesties Name to Authorize and Require you to receive into your Custody from on Board His Majesties Yatch the *Catherine*, Captain *Davis* Commander, the Person of Sir *Thomas Armstrong* Knight, Outlawed for High-Treason, and him safely keep in His Majesties Prison of *Newgate*, till His Majesties pleasure be farther known. And for so doing this shall be your Warrant. Given under my Hand and Seal at *White-hall* this 10*th*. day of *June* 1684. In the 36*th* Year of His Majesties Reign.

*S. Godolphin.*

*To Captain* Richardson *Keeper of His Majesties Prison of* Newgate.

*Lord Chief Justice.* WHat would you have Attorney?

Mr. *Att. G.* Have you the Outlawry?

*Cl. of the Cr.* Yes, Sir, here it is.

Mr. *Att. G.* That which I humbly pray, my Lord, is an Award of Execution for the King against Sir *Thomas Armstrong*, upon the Outlawry.

L. Ch.

*L. Ch. Juſt.* Firſt we muſt File this Return.

*Mr. Att. G.* I pray it may be Filed.

*L. Ch. Juſt.* Let it be Filed: Now what do you deſire Mr. Attorney?

Mr. *Att. G.* My Lord, I pray an Award of Execution upon the Outlawry.

*L. Ch. Juſt.* Arraign him upon the Outlawry.

*Cl. of Cr. Thomas Armſtrong*, hold up thy hand. (*Which he did.*) Thou haſt been Indicted in *London* by the name of *Thomas Armſtrong* of *London*, Knight, of High-Treaſon, for Conſpiring againſt the King's Majeſties Life, and the Government: For not appearing to Plead and Try that Indictment by due Proceſs of Law iſſued againſt thee; upon that Indictment, thou ſtandeſt Outlawed, and thereby Attainted of the ſame High-Treaſon. What haſt thou to ſay for thy ſelf why Execution ſhould not be Awarded againſt thee upon that Attainder according to Law?

Sir *Thomas Armſtrong.* My Lord, I was beyond Sea at the time of the Outlawry; I beg I may be Tried.

*L. Ch. Juſt.* That is not material at all to us; we have here a Record of an Outlawry againſt you, Sir *Thomas.*

Sir *T. Armſtrong.* I deſire to be put upon my Trial, my Lord.

*L. Ch. Juſt.* We cannot allow any ſuch thing, we have nothing to do upon this Record before us but to Award Execution. Captain *Richardſon*, which are your uſual days of Execution?

Capt. *Richardſon. Wedneſdays* and *Fridays*, my Lord.

Mrs. *Matthews.* Here is a Statute, my Lord.

*L. Ch. Juſt.* What is the matter with that Gentlewoman?

Sir *T. Armſtrong.* Hold your tongue. My Lord there is a Statute made in the 6th. year of *Edward* the 6th. which I deſire may be read.

*L. Ch. J.* To what purpoſe would you have it read, Sir *Thomas?*

Sir *T. Armſtrong.* It giveth the Priſoner, or Perſon Outlawed for High-Treaſon a years time to reverſe the Outlawry, if he were beyond Sea. I deſire it may be Read.

*L. Ch. Juſt.* Ay let it be Read. Where is it do you ſay?

Sr. *T. Armſtrong.* It is in the ſixth year of *Edward* the Sixth.

Mrs. *Matt.* Here is a Copy of it——*ſhewing a Paper.*

*L. Ch. J.* Why? how now, We do not uſe to have Women Plead in the Court of *King's-Bench*; pray be at quiet, Miſtris.

Sir *T. Armſtrong.* Pray hold your Tongue. My Lord, I could not come to allege this before, becauſe I have been a cloſe Priſoner, and no Body permitted to come at me. I deſire Councel to be aſſigned me at this Bar.

*L. Ch. Juſt.* For what, Sir *Thomas?*

Sir *T. Armſtrong.* To argue whether this Outlawry ought not to be reverſed.

*L. Ch. Juſt.* Read the Statute he deſires.

Mr. *Att. G.* Ay let it be Read Sir *Thomas* will not find it to his Purpoſe.

*Cl. of the Cr.* What Chap.

*L. Ch. Juſt.* You may eaſily find it about Outlawries for Treaſon.

*Cl. of the Cr.* reads. *Provided always, and be it Enacted by the Authority aforeſaid, That if the Party*——

Mr. *Att. G.* Read the Clauſe before that, Sir *Samuel.*

*Cl. of the Cr.* reads. *And that all Proceſs of Outlawry hereafter to be made and had within this Realm, againſt any Offendors in Treaſon, being Reſiant or Inhabitant out of the Limits of this Realm, or in any the Parts beyond the Sea, at the time of the Outlawry pronounced againſt them, ſhall be as good and effectual in the Law to all intents and purpoſes, as if any ſuch Offenders had been Reſident and Dwelling within this Realm at the time of ſuch Proceſs awarded and Outlawry pronounced.*

*L. Ch. Juſt.* read on the next Paragraph.

*Cl. of Cr.* reads. *Provided always, and be it enacted by the Authority aforeſaid, That if the Party ſo hereafter to be Outlawed, ſhall within one Year next after the ſaid Outlawry pronounced, or Judgment given upon the ſaid Outlawry yield himſelf unto the Chief Juſtice of* England *for the time being, and offer to Traverſe the Inditement at the Appeal whereupon the ſaid Outlawry ſhall be pronounced as aforeſaid: That then he ſhall be received to the ſaid Traverſe, and being thereupon found not Guilty by the Verdict of Twelve Men he ſhall be clearly acquitted and diſcharged of the ſaid Outlawry, and of all Penalties and Forfeitures by reaſon of the ſame, in as large and ample manner and form as though no ſuch Outlawry had been made, any thing herein contained to the Contrary in any wiſe notwithſtanding.*

Mr. *Att. Gen.* Sir *Thomas*, I ſuppoſe, now will be yield himſelf to your Lordſhip.

*L. Ch. Juſt.* This is the firſt time I have ſeen Sir *Thomas.*

Sir *T. Armſt.* My Lord I have been a Priſoner, and the Year is not yet out; I now render my ſelf.

Mr *Att. Gen.* Before he went out of *England* he might have rendred himſelf, and been Tried, if he pleaſed.

Sir *T. Armſt.* I am within the benefit of the Statute, I conceive, my Lord.

*L. Ch. Juſt.* We think otherwiſe, Sir *Thomas.*

Sir *T. Armſt.* I think, my Lord, the Statute is plain in the Caſe.

*L. Ch. Juſt.* We are of another Opinion then you are; it doth not reach your Caſe.

Sir *T. Armſt.* The Year is not yet out, and therefore I come time enough now; and here I plead, and deſire the benefit of this Act.

*L. Ch. Juſt.* Sir *Thomas*, you ſhould have rendred your ſelf to me.

Sir *T. Armſt.* I do it now my Lord, and the Year not yet out.

*L. Ch. Juſt.* We cannot take notice of that; we have nothing but the Outlawry, and you did not render your ſelf according to that Act, but are brought as a Priſoner before us now.

Sir *T. Armſt.* My Lord, I beg I may have Councel to Plead for me in this Caſe.

*L. Ch. Juſt.* For what reaſon. We are of opinion it is not a matter of any doubt. For you muſt not go under the Apprehenſion that we deny you any thing that is Right; there is no doubt nor difficulty at all in the thing.

Sir *T. Armſt.* Methinks, my Lord, the Statute is plain.

*L. Ch. Juſt.* So it is very plain that you can have no advantage by it. Cap. *Richardſon*, you ſhall have a Rule for execution on Friday next.

Sir *T. Armſt.* I would only take notice of one thing, my Lord, may I ſpeak?

*L. Ch. Juſt.* Ay Sir *Thomas*, very freely what you pleaſe.

Sir *T. Armſt.* A little while ago there was one in this place had the benefit of a Trial offered him, if he would accept of it; that is the thing I deſire now, and I thank God, my Caſe is quite another thing than his, I know my own Innocence; and I deſire to make it appear by a Trial.

*L. Ch*

*L. Ch. Juſt.* Sir *T. Armſtrong*, you may go away with what Opinion you pleaſe of your own Innocency: but you are here Attainted by Outlawry. That which was done, to him you ſpeak of, was the Grace and Mercy of the King, and he may if he pleaſe extend the ſame Grace and Favour to you; but that is not our buſineſs: We are ſatisfied that according to Law we muſt award Execution upon this Outlawry.

Mrs. *Matthews.* My Lord, I hope you will not Murder my Father; this is murdering a Man.

*L. Ch. Juſt.* Who is this Woman? Marſhal, take her into Cuſtody. Why, How now? Becauſe your Relation is Attainted for High Treaſon, muſt you take upon you to tax the Courts of Juſtice for Murder, when we grant the Execution according to Law? Take her away.

Mrs. *Matthews.* God Almighty's Judgments light upon you.

*L. Ch. Juſt.* God Almighty's Judgments will light upon thoſe that are Guilty of High Treaſon.

Mrs. *Matthews.* *Amen*, I pray God.

*L. Ch. Juſt.* So ſay I. But Clamours never prevail upon me at all; I thank God, I am clamour proof, and will never fear to do my Duty.

[ *Then ſhe was carried away.* ]

Mr. *Att. Gen.* My Lord, I would only acquaint you with one thing in reference to what Sir *Tho. Armſtrong* has ſaid: The King did indulge *Holloway*, that he ſpeaks of, it is true, ſo far as to offer him a Trial, and his Majeſty perhaps might have ſome reaſon for it, but the Priſoner truly deſerves no Sort of Indulgence or Mercy from the King. For it has appeared by the Evidence that has been given of this Late Horrid Conſpiracy, that after the Diſappointment that was given by the Providence of God, by the Fire at *New-Market*, to the meeting at the *Rye*; this Gentleman was one of the Perſons that actually engaged to go upon the Kings hafty coming to Town then, and to deſtroy him by the way as he came to Town. And this appears upon a full and clear Evidence, as poſſibly can be ſpecified as any thing can be. And when he was taken beyond Sea, Letters of Communication with Forreign Miniſters and other People were taken about him, and will be——

*L. Ch. Juſt.* We are not to meddle at all with the Evidence, Mr. Attorney; that is not our buſineſs; here is an Outlawry, upon this Outlawry he is Attainted; we have nothing more to do, but to do the Duty of the Court upon this Record before us, to award Execution upon that Attainder, and we muſt give a Rule for it. If the King will be pleaſed to do for Sir *Tho. Armſtrong* as he did for *Holloway*, and indulge him a Trial, and reverſe the Outlawry, with all our hearts. We are not diſpoſed of his Grace and Favor, but the Miniſters of his Juſtice. If the King will pardon him, he may; that is not our buſineſs; but all we have to do upon what is before us, is to conſider the Record, and what the Priſoner has ſaid againſt our awarding of Execution. We have Conſidered whether this be a Yielding within the Proviſo of the Statute, and we think it is not, nor can be, by any

Sir *T. Armſt.* My Lord, I am within the Proviſo, I was Outlawed while I was beyond Sea, and I am now here within the Twelve Month. That is all I have to ſay in this Matter.

*L. Ch. Juſt.* We think quite the contrary, Sir.

Sir *T. Armſt.* When I was before the Council, my Lord, they ordered that I ſhould have Counſel with me, but I could have no benefit by that Order; for I was taken, I was robbed of all the money I had, I have not had one Penny reſtored to me, nor at all ſince; I know not whether the Law allows a Priſoner in my Condition to be robbed and ſtripped.

*L. Ch. Juſt.* I know nothing at all of that matter, Sir *Thomas.*

Sir *T. Armſt.* My Lord, I know Law enough to plead without money, and being robbed as I was, I have where withal to Fee them.

*L. Ch. Juſt.* Sir *Thomas Armſtrong*, you take the liberty of ſaying what you pleaſe; you talk of being robbed, no body has robbed you that I know of.

Sir *T. Armſt.* No body ſays you do know of it.

*L. Ch. Juſt.* Nay be as angry as you will, Sir, we are not concerned at your Anger. We ſhall chearfully and gladly do our Duty.

Sir *T. Armſt.* I ought to have the benefit of Law, and I demand no more.

*L. Ch. Juſt.* That you ſhall have, we will ſee that Execution be done on Friday next according to Law. You ſhall have the full benefit of the Law.

*Then the Priſoner was carried back to Newgate. Afterwards upon a Petition the Court ordered Mr. Armſtrong to be releaſed out of Cuſtody without Fees.*

## An Account of what paſſed at the Place of Execution

Sir *T. Armſt.* MR. Sheriff, do you purpoſe to ask me any Queſtions?

*Sh. Daniel.* No Sir; you have leave to ſay what you pleaſe, and ſhall not be interrupted unleſs you upbraid the Government.

Sir *T. Armſt.* Sir I thank you: But I ſhall not ſay any thing by way of Speech to the People. Pray take this Paper, which contains my Mind; and I deſire no other perſon may ask me any Queſtion. I deſire you to make Way for Dr. *Tenniſon.*

(*Which was done, and then they went together into the Cart.*)

Sir *T. Armſt.* Mr. Sheriff, I have given you a Paper, and that will ſet forth my Mind; that is all I have to ſay.

Turning to Dr. *Tenniſon*, he ſaid, Sir, I deſire you to pray with me.

*Dr.* Tenniſon's *Prayer.*

ALmighty God, with whom do live the Spirits of juſt men made Perfect, after they are delivered from their earthly Priſons; we humbly commend the Soul of this thy Servant into thy Hands, into the Hands of a Faithful Creator, and moſt Merciful Saviour, beſeeching thee it may be pretious in thy Sight, and Sanctifie it by the Blood of the Lamb, that taketh away the Sins of the World, whatſoever defilements it may have contracted in this miſerable, ſinful and naughty World, through the Luſts of the Fleſh, or the wiles of Satan, being purged and done away, it may be preſented Pure and Holy before thee. And now, O Holy and moſt Merciful Father, moſt Bleſſed judge Eternal, ſuffer Him not in his laſt Hour, for any Pains of Death, to fall from thee. Support him by the aſſiſtance of thy Spirit in all Agonies of Soul and Body at that Moment; and teach us by this, and all other Examples of Mortality, to number our Days, and to apply our Hearts to that Holy and Heavenly Wiſdom, as may make us live here, which may bring us hereafter to that bleſſed Life, through Jeſus Chriſt our Lord.

*Our Father*, &c.

Grace of our Lord Jesus Christ, the Love of God ...er, and the Fellowship of the Holy Ghost, ...s, and in a particular manner with this thy ... now in the Minute of Death, and in the Day ...ent. *Amen, Amen.* Come Lord Jesus, come quickly.

Now Sir, commend your self to God by your private Devotions, make your self Ready, and then let that be the last thing you do.

Sir *T. Armst.* Sir, I hope in God my Sins are Pardoned, and I do Pray for it heartily. I forgive the whole World all offences they have committed against me.

Dr. *Tennison.* I pray God shew Mercy to you, as you express Charity to them.

Then Sir *Thomas* kneel'd down and Prayed, and afterwards thanked Dr. *Tennison* for his great Care and Pains with him.

And then he turned to his Servant, and desired to be remembred to his Wife and Children.

## The PAPER he delivered to the SHERIFFS.

THank Almighty God, though I have had but a short time allowed me, I find my self prepar'd for Death, and my thoughts set on another World, trust in God, well weaned from putting my heart ...s; yet I cannot but give so much of my little ... to set down in Writing my Answers to some Ca... ...ies raised since my close Imprisonment, as well as ... Mr. Attorney accus'd me of at the Bar: I was ... a Very Great Person says, I was a Spy of *Cromwel's*. ...e been sent from *England* by the best and considera... ...t Friends the King had then, with Bills of Exchange ... His Majesties Use, and Letters of very great Im...rtan...e to His Majesty then at *Bruxels*; I appeal to ...s Majesty, if I deliver'd them not safe to Him, and ... ...swers too when I return'd; Which I had not ...bove Six Days, but I was Clapt up Ten Weeks a ...risoner in the *Gate-house*, and in no small ha... ... my Life for that Journey; Before this time, I ...en a whole Year at least in *Lambeth-house* a Prison... ...l after both these times a Prisoner in the *Tower*, ...he *Usurper* Died, and near Starving in every One ...m: Very ill Treatments for a Spy and Pensioner; ...d of *Oxford*, and many others of Quality will, I ...estifie my Innocency in this point; I protest before ... was n... ...y to *Cromwel*, or any other Man. ... ...ast I was brought to the ...-Bench ...n an Outlawry of High Treason, I was asked ... had to say for my self, that Judgment of Death ...not pass; I was beyond Seas when the Outlawry ...out, I thought a Writ of Errour to Reverse it the ...llowed, I prayed I might be allowed a Tryal for ...e according to the Laws of the Land, I urg'd ...atute of *Edward* the 6th. which was expresly ... being within the Twelve Months allowed by ...tatute; It signified nothing, I was with an unor... Roughness Condemned, and made a Prefident, ...r. *Holloway* a little before had it offered him; I can... ...t think all the World will conclude my Case ...fferent; else why refused me?

Attorney said, I was accused for being one of ...at was to Kill the King as he came from *Newmarket*, after the Fire, I take God to Witness I never had any Design, nor ever had such a Thought to take away the King's Life; neither ever had any man the Impudence to propose so Barbarous and Base a thing to me; neither was I ever in any Design to alter the Government of *England*: What I am Accused of more, I know no otherwise than by Reports and Prints, which I take to be uncertain; So that it cannot reasonably be expected I should make particular Answers; If I had been Tryed I could have proved my Lord *Howard's* Base Reflections on me to be a Notorious Falshood: For I know there is at least Ten Gentlemen, besides all the Servants of the House, can testifie I Dined there that day.

I have Lived, and now Die of the Reformed Religion, A **True** and Sincere **Protestant**, and in the Communion of the Church of *England*; and I heartily wish I had more strictly lived up to the Religion which I believed; and I have found the great comfort of the Love and Mercy of God, in and through my Blessed Redeemer, in whom I only trust, and I do verily hope, that I am going to partake of that fulness of Joy which is in His Presence, the hopes whereof doth infinitly please me.

I thank God, I have no repining at my heart, for ... condition my sins have most deservedly brought upon me; I have deserved much worse at the hands of God, so that I cheerfully submit to this Punishment, as being taken off but a small time sooner.

I do freely forgive all the World, even those concerned in taking away my Life. As for the Sentence of Death past upon me, I cannot but think a very hard one, being, I think, denied the Laws of the Land.

To conclude, as I never had any Design against the King's Life, or the Life of any man, so I never was in a Design to alter the Monarchy.

I Die in charity with all the World, and therefore I heartily pray God to Bless the Church of Christ every where, these poor Nations, the Kings Majesty, and I heartily commend my Soul, to Gods Infinite Mercy, through my Blessed Saviour Jesus Christ.

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We do Appoint *Robert Horn*, *John Baker*, and *John Redmayne*, to Print and Publish this Paper, and that none other Print the same.

*Peter Daniel.*
*Samuel Dashwood.*

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*LONDON*,
Printed for *Robert Horn*, *John Baker*, and *John Redmayne*. 1684.

515.L
90

# THE PROCEEDINGS AGAINST Sir Thomas Armſtrong,

## In His Majeſties Court of *Kings-Bench*, at *Weſtminſter*, upon an Outlawry for High-Treaſon, &c.

## AS ALSO

## An Account of what paſſed at his Execution at *Tyburn*, the 20*th*. of *June* 1684. Together with the Paper he delivered to the Sheriffs of *London* at the ſame Time and Place.

*De Term. S. S. Trin. Anno Regni Regis* Carol. II. *xxxvi. Die Sabbati*, 14. *Junii An. Dom.* 1684. *B. R.*

*Dominus Rex verſus* Thom. Armſtrong, *Mil.*

THis day Sir *Thomas Armſtrong* was brought to the Bar of the Court of *Kings-Bench* at *Weſtminſter*, by Vertue of a Writ of *Habeas Corpus* directed to the Keeper of the *Goal* of *Newgate*; which Writ was on His Majeſties behalf moved for on *Thurſday* laſt by Mr. Attorney General.

The return of the Writ was Read by the Clerk of the Crown, by which it appeared he was in the Cuſtody of the Keeper of *Newgate*, by a Warrant from the Honourable *Sidney Godolphin*, Eſq; one of His Majeſties Principal Secretaries of State; which Warrant followeth *in hæc verba*.

Sidney Godolphin, *Eſq; one of His Majeſties moſt Honourable Privy Council, and Principal Secretary of State.*

THeſe are in His Majeſties Name to Authorize and Require you to receive into your Cuſtody from on Board His Majeſties Yatch the *Catherine*, Captain *Davis* Commander, the Perſon of Sir *Thomas Armſtrong*, Knight, Outlawed for High-Treaſon, and him ſafely to keep in His Majeſties Priſon of *Newgate*, till His Majeſties pleaſure be farther known. And for ſo doing this ſhall be your Warrant. Given under my Hand and Seal at *White-hall* this 10*th*. day of *June* 1684. In the 36*th*. Year of His Majeſties Reign.

*S. Godolphin.*

*To Captain* Richardſon *Keeper of His Majeſties Priſon of* Newgate.

*Lord Chief Juſtice.* WHat would you have Attorney?

Mr. *Att. G.* Have you the Outlawry there?

*Cl. of the Cr.* Yes, Sir, here it is.

Mr. *Att. G.* That which I humbly pray, may be an Award of Execution for the King againſt Sir *Armſtrong*, upon the Outlawry.

*L. Ch. Juſt.* Firſt we muſt File this Return.

Mr. *Att. G.* I pray it may be Filed.

*L. Ch. Juſt.* Let it be Filed: Now what do you deſire Mr. Attorney?

Mr. *Att. G.* My Lord, I pray an Award of Execution upon the Outlawry.

*L. Ch. Juſt.* Arraign him upon the Outlawry.

*Cl. of Cr.* *Thomas Armſtrong*, hold up thy hand. (*Which he did.*) Thou haſt been Indicted in *London* by the name of *Thomas Armſtrong* of *London*, Knight, of High-Treaſon, for Conſpiring againſt the King's Majeſties Life, and the Government: For not appearing to Plead and Try that Indictment by due Proceſs of Law iſſued againſt thee; upon that Indictment, thou ſtandeſt Outlawed, and thereby Attainted of the ſame High-Treaſon. What haſt thou to ſay for thy ſelf why Execution ſhould not be Awarded againſt thee upon that Attainder according to Law?

Sir *Thomas Armſtrong*. My Lord, I was beyond Sea at the time of the Outlawry; I beg I may be Tried.

*L. Ch. Juſt.* That is not material at all to us; we have here a Record of an Outlawry againſt you, Sir *Thomas*.

Sir *T. Armſtrong*. I deſire to be put upon my Trial, my Lord.

*L. Ch. Juſt.* We cannot allow any ſuch thing, we have nothing to do upon this Record before us but to Award Execution. Captain *Richardſon*, which are your uſual days of Execution?

Capt. *Richardſon*. *Wedneſdays* and *Fridays*, my Lord.

Mrs. *Matthews*. Here is a Statute, my Lord.

*L. Ch. Juſt.* What is the matter with that Gentlewoman?

Sir *T. Armſtrong*. Hold your tongue. My Lord there is a Statute made in the 6th. year of *Edward* the 6th. which I deſire may be read.

*L. Ch. J.* To what purpoſe would you have it read, Sir *Thomas*?

Sir *T. Armſtrong*. It giveth the Priſoner, or Perſon Outlawed for High-Treaſon a years time to reverſe the Outlawry, if he were beyond Sea. I deſire it may be Read.

*L. Ch. Juſt.* Ay let it be Read. Where is it do you ſay?

Sr. *T. Armſtrong*. It is in the ſixth year of *Edward* the Sixth.

Mrs. *Matt.* Here is a Copy of it——*ſhewing a Paper.*

*L. Ch. J.* Why? how now, We do not uſe to have Women Plead in the Court of *King's-Bench*; pray be at quiet, Miſtris.

Sir *T. Armſtrong*. Pray hold your Tongue. My Lord, I could not come to alledge this before, becauſe I have been a cloſe Priſoner, and no Body permitted to come at me. I deſire Councel to be aſſigned me at this time.

*L. Ch. Juſt.* For what, Sir *Thomas*?

Sir *T. Armſtrong*. To argue whether this Outlawry ought not to be reverſed.

*L. Ch. Juſt.* Read the Statute he deſires.

*Mr. Att. G.* Ay let it be Read. Sir *Thomas* will not find his Purpoſe.

*Cl. of Cr.* What Chapter is it?

*L. Juſt.* You may eaſily find it about Outlawries

*Cl. of Cr.* reads. *Provided always, and be it Enacted by the Authority aforeſaid, That if the Party*——

*Mr. Att. G.* Read the Clauſe before that, Sir *Samuel*.

*Cl. of Cr.* reads. *And that all Proceſs of Outlawry to be made and had within this Realm, againſt any Offenders in Treaſon, being Reſiant or Inhabitant out of the Limits of this Realm, or in any the Parts beyond the Sea, at the time of the Outlawry pronounced againſt them, ſhall be as good and effectual in the Law to all intents and purpoſes, as if any ſuch Offenders had been Reſident and Dwelling within this Realm at the time of ſuch Proceſs awarded and Outlawry pronounced.*

*L. Ch. Juſt.* read on the next Paragraph.

*Cl. of Cr.* reads. *Provided alway, and be it enacted by the Authority aforeſaid, That if the Party ſo hereafter to be Outlawed, ſhall within one Year next after the ſaid Outlawry pronounced, or Judgment given upon the ſaid Outlawry yield himſelf unto the Chief Juſtice of England for the time being, and offer to Traverſe the Indictment or Appeal whereupon the ſaid Outlawry ſhall be pronounced as is aforeſaid: That then he ſhall be received to the ſaid Traverſe, and being thereupon found, not Guilty by the Verdict of Twelve Men he ſhall be clearly acquitted and diſcharged of the ſaid Outlawry, and of all Penalties and Forfeitures by reaſon of the ſame, in as large and ample manner and form as though no ſuch Outlawry had been made, any thing herein contained to the Contrary in any wiſe notwithſtanding.*

Mr. *Att. Gen.* Sir *Thomas*, I ſuppoſe, now will ſhew he Yielded himſelf to your Lordſhip.

*L. Ch. Juſt.* This is the firſt time I have ſeen Sir *Thomas*.

Sir *T. Armſt.* My Lord I have been a Priſoner, and the Year is not yet out; I now render my ſelf.

Mr *Att. Gen.* Before he went out of *England* he might have rendred himſelf, and been Tried, if he pleaſed.

Sir *T. Armſt.* I am within the benefit of the Statute, I conceive, my Lord.

*L. Ch. Juſt.* We think otherwiſe, Sir *Thomas*.

Sir *T. Armſt.* I think, my Lord, the Statute is plain in the Caſe.

*L. Ch. Juſt.* We are of another Opinion then you are; it doth not reach your Caſe.

Sir *T. Armſt.* The Year is not yet out, and therefore I come time enough now; and here I am, and deſire the benefit of this Act.

*L. Ch. Juſt.* Sir *Thomas*, you ſhould have rendred your ſelf to me.

Sir *T. Armſt.* I do it now my Lord, and the Year is not yet out.

*L. Ch. Juſt.* We cannot take notice of that; we have nothing but the Outlawry, and you did not render your ſelf according to that Act; but are brought as a Priſoner before us now.

Sir *T. Armſt.* My Lord, I beg I may have Councel to Plead for me in this Caſe.

*L. Ch. Juſt.* For what reaſon. We are of Opinion it is not a matter of any doubt. For you muſt not go under the Apprehenſion that we deny you any thing that is Right; there is no doubt nor difficulty at all in the thing.

Sir *T. Armſt.* Methinks, my Lord, the Statute is plain.

*L. Ch. Juſt.* So it is very plain that you can have no advantage by it. Cap. *Richardſon*, you ſhall have a Rule for execution on Friday next.

Sir *T. Armſt.* I would only take notice of one thing, my Lord, may I ſpeak?

*L. Ch. Juſt.* Ay Sir *Thomas*, very freely what you pleaſe.

Sir *T. Armſt.* A little while ago there was one in this place had the benefit of a Trial offered him, if he would accept of it; that is the thing I deſire now, and I thank God, my Caſe is quite another thing than his, I know my own Innocence; and I deſire to make it appear by a Trial.

*L. Ch.*

*L. Ch. Juſt.* Sir *T. Armſtrong*, you may go away with what Opinion you pleaſe of your own Innocency; but you are here Attainted by Outlawry. That which was done, to him you ſpeak of, was the Grace and Mercy of the King, and he may if he pleaſe extend the ſame Grace and Favour to you, but that is not our buſineſs: We are ſatisfied that according to Law we muſt award Execution upon this Outlawry.

Mrs. *Matthews.* My Lord, I hope you will not Murder my Father; this is murdering a Man.

*L. Ch. Juſt.* Who is this Woman? Marſhal, take her into Cuſtody. Why, How now? Becauſe your Relation is Attainted for High Treaſon, muſt you take upon you to tax the Courts of Juſtice for Murder, when we grant the Execution according to Law? Take her away.

Mrs. *Matthews.* God Almighty's Judgments light upon you.

*L. Ch. Juſt.* God Almighty's Judgments will light upon thoſe that are Guilty of High Treaſon.

Mrs. *Matthews.* *Amen*, I pray God.

*L. Ch. Juſt.* So ſay I. But Clamours never prevail upon me at all; I thank God, I am clamour proof, and will never fear to do my Duty.

[ *Then ſhe was carried away.* ]

Mr. *Att. Gen.* My Lord, I would only acquaint you with one thing in reference to what Sir *Tho. Armſtrong* has ſaid: The King did indulge *Holloway*, that he ſpeaks of, it is true, ſo far as to order him a Trial, and his Majeſty perhaps might have ſome reaſon for it, but the Priſoner truly deſerves no Sort of Indulgence or Mercy from the King. For it has appeared by the Evidence that has been given of this Late Horrid Conſpiracy, that after the Diſappointment that was given by the Providence of God, by the Fire at *New-Market*, to the meeting at the *Rye*; this Gentleman was one of the Perſons that actually engaged to go upon the Kings haſty coming to Town then, and to deſtroy him by the way as he came to Town. And this appears upon a full and clear Evidence, as poſitively teſtified as any thing can be. And when he was taken beyond Sea, Letters of Communication with Forreign Miniſters and other People were taken about him, and will be——

*L. Ch. Juſt.* We are not to meddle at all with the Evidence, Mr. Attorney; that is not our buſineſs; here is an Outlawry, upon this Outlawry he is Attainted; we have nothing more to do, but to do the Duty of the Court upon this Record before us, to Award Execution upon that Attainder, and we muſt give a Rule for it. If the King will be pleaſed to do for Sir *Tho. Armſtrong* what he did for *Holloway*, and indulge him a Trial, and waive the Outlawry, with all our hearts. We are not diſpoſers of his Grace and Favor, but the Miniſters of his Juſtice. If the King will pardon him, he may; that is not our buſineſs; but all we have to do upon what is before us, is to conſider the Record, and what the Priſoner ſays againſt our awarding of Execution. We have Conſidered whether this be a Yielding within the Proviſo of this Statute, and we think it is not, nor can be, by any means.

Sir *T. Armſt.* My Lord, I am within the Statute, I was Outlawed while I was beyond Sea, and I come now here within the Twelve Month. That is all I know, or have to ſay in this Matter.

*L. Ch. Juſt.* We think quite the contrary, Sir *Thomas.*

Sir *T. Armſt.* When I was before the Council, my Lord, they ordered that I ſhould have Councel allotted me, but I could have no benefit by that Order; for when I was taken, I was robbed of all the money I had, and have not had one Penny reſtored to me, nor any money ſince; I know not whether the Law allows perſons in my Condition to be robbed and ſtripped.

*L. Ch. Juſt.* I know nothing at all of that matter, Sir *Thomas.*

Sir *T. Armſt.* My Lord, I know Lawyers will not plead without money, and being robbed I could not have wherewithal to Fee them.

*L. Ch. Juſt.* Sir *Thomas Armſtrong*, you take the Liberty of ſaying what you pleaſe; you talk of being robbed, no body has robbed you that I know of.

Sir *T. Armſt.* No body ſays you do know of it, but ſo it is.

*L. Ch. Juſt.* Nay be as angry as you will, Sir *Thomas*, we are not concerned at your Anger. We will undoubtedly do our Duty.

Sir *T. Armſt.* I ought to have the benefit of the Law, and I demand no more.

*L. Ch. Juſt.* That you ſhall have by the Grace of God; ſee that Execution be done on Friday next according to Law. You ſhall have the full benefit of the Law.

*Then the Priſoner was carried back to* Newgate, *and afterwards upon a Petition the Court ordered Mrs.* Matthews *to be releaſed out of Cuſtody without Fees.*

## An Acccount of what paſſed at the Place of Execution.

Sir *T. Armſ.* MR. Sheriff, do you purpoſe to ask me any Queſtions?

*Sh. Daniel.* No Sir; you have leave to ſay what you pleaſe, and ſhall not be interrupted unleſs you upbraid the Government.

Sir *T. Armſ.* Sir I thank you: But I ſhall not ſay any thing by way of Speech to the People. Pray take this Paper, which contains my Mind; and I deſire no other perſon may ask me any Queſtion. I deſire you to make way for Dr. *Tenniſon.*

(*Which was done, and then they went together into the Cart.*)

Sir *T. Armſ.* Mr Sheriff, I have given you a Paper, and that will ſet forth my Mind; that is all I have to ſay.

Turning to Dr. *Tenniſon*, he ſaid, Sir, I deſire you to pray with me.

*Dr.* Tenniſon's *Prayer.*

ALmighty God, with whom do live the Spirits of Juſt men made Perfect, after they are delivered from their earthly Priſons; we humbly commend the Soul of this thy Servant into thy Hands, as into the Hands of a Faithful Creator, and moſt Merciful Saviour, beſeeching thee it may be pretious in thy Sight. Waſh it, and Sanctifie it by the Blood of the Immaculate Lamb, that taketh away the Sins of the World; that whatſoever defilements it may have contracted, in this miſerable, ſinful and naughty World, through the luſts of the Fleſh, or the wiles of Satan, being purged and done away, it may be preſented Pure and Spotleſs before thee. And now, O Holy and moſt Merciful Saviour, thou moſt Bleſſed Judge Eternal, ſuffer him not, ſuffer him not at his laſt Hour, for any Pains of Death to fall from thee. Support him by the aſſiſtance of thy Spirit in all Agonies of Soul and Body at his laſt Moment; and teach us by this, and all other Spectacles of Mortality, to number our Days, and to apply our Hearts to that Holy and Heavenly Wiſdom whilſt we live here, which may bring us hereafter to everlaſting Life, through Jeſus Chriſt our Lord.

*Our Father*, &c.

The

The Grace of our Lord Jeſus Chriſt, the Love of God the Father, and the Fellowſhip of the Holy Ghoſt, be with us, and in a particular manner with this thy Servant, now in the Minute of Death, and in the Day of Judgment. *Amen, Amen.* Come Lord Jeſus, come quickly.

Now Sir, commend your ſelf to God by your private Devotions, make your ſelf Ready, and then let that be the laſt thing you do.

Sir *T. Armſ.* Sir, I hope in God my Sins are Pardoned, and I do Pray for it heartily. I forgive the whole World all offences they have committed againſt me.

Dr. *Tenniſon.* I pray God ſhew Mercy to you, as you expreſs Charity to them.

Then Sir *Thomas* kneel'd down and Prayed, and afterwards thanked Dr. *Tenniſon* for his great Care and Pains with him.

And then he turned to his Servant, and deſired to be remembred to his Wife and Children.

## The PAPER he delivered to the SHERIFFS.

I Thank Almighty God, though I have had but a ſhort time allowed me, I find my ſelf prepar'd for Death, and my thoughts ſet on another World, and truſt in God, well weaned from putting my heart on this; yet I cannot but give ſo much of my little time to ſet down in Writing my Anſwers to ſome Calumnies raiſed ſince my cloſe Impriſonment, as well as what Mr. Attorney accus'd me of at the Bar: I was told a Very Great Perſon ſays, I was a Spy of *Cromwel's*. I have been ſent from *England* by the beſt and conſiderableſt Friends the King had then, with Bills of Exchange for His Majeſties Uſe, and Letters of very great Importance to His Majeſty then at *Bruxels*; I appeal to His Majeſty, if I deliver'd them not ſafe to Him, and His anſwers too when I return'd; Which I had not been above Six Days, but I was Clapt up Ten Weeks a cloſe Priſoner in the *Gate-houſe*, and in no ſmall hazard of my Life for that Journey; Before this time, I had been a whole Year at leaſt in *Lambeth-houſe* a Priſoner, and after both theſe times a Priſoner in the *Tower*, when the *Uſurper* Died, and near Starving in every One of them: Very ill Treatments for a Spy and Penſioner; My Lord of *Oxford*, and many others of Quality will, I think, teſtifie my Innocency in this point; I proteſt before God I was never a Spy to *Cromwel*, or any other Man.

On *Saturday* laſt I was brought to the *Kings-Bench* Bar on an Outlawry of High Treaſon, I was asked what I had to ſay for my ſelf, that Judgment of Death ſhould not paſs; I was beyond Seas when the Outlawry came out, I thought a Writ of Errour to Reverſe it the Law allowed, I prayed I might be allowed a Tryal for my Life according to the Laws of the Land, I urg'd the Statute of *Edward* the 6th. which was expreſly for it, it being within the Twelve Months allowed by that Statute; It ſignified nothing, I was with an unordinary Roughneſs Condemned, and made a Preſident, tho' Mr. *Holloway* a little before had it offered him; I cannot but think all the World will conclude my Caſe very different; elſe why refuſed me?

Mr. Attorney ſaid, I was accuſed for being one of thoſe that was to Kill the King as he came from *Newmarket*, after the Fire, I take God to Witneſs I never had any Deſign, nor ever had ſuch a Thought to take away the King's Life; neither ever had any man the Impudence to propoſe ſo Barbarous and Baſe a thing to me; neither was I ever in any Deſign to alter the Government of *England*: What I am Accuſed of more, I know no otherwiſe than by Reports and Prints, which I take to be uncertain; So that it cannot reaſonably be expected I ſhould make particular Anſwers; If I had been Tryed I could have proved my Lord *Howard's* Baſe Reflections on me to be a Notorious Falſhood: For I know there is at leaſt Ten Gentlemen, beſides all the Servants of the Houſe, can teſtifie I Dined there that day.

I have Lived, and now Die of the Reformed Religion, A **True** and Sincere **Proteſtant**, and in the Communion of the Church of *England*, and I heartily wiſh I had more ſtrictly lived up to the Religion which I believed; and I have found the great comfort of the Love and Mercy of God, in and through my Bleſſed Redeemer, in whom I only truſt, and I do verily hope, that I am going to partake of that fulneſs of Joy which is in His Preſence, the hopes whereof doth infinitly pleaſe me.

I thank God, I have no repining at my heart, for the condition my ſins have moſt deſervedly brought upon me; I have deſerved much worſe at the hands of God, ſo that I cheerfully ſubmit to this Puniſhment, as being taken off but a ſmall time ſooner.

I do freely forgive all the World, even thoſe concerned in taking away my Life. As for the Sentence of Death paſt upon me, I cannot but think a very hard one, being, I think, denied the Laws of the Land.

To conclude, as I never had any Deſign againſt the King's Life, or the Life of any man, ſo I never was in a Deſign to alter the Monarchy.

I Die in charity with all the World, and therefore I heartily pray God to Bleſs the Church of Chriſt every where, theſe poor Nations, the Kings Majeſty; and I heartily commend my Soul, to Gods Infinite Mercy, through my Bleſſed Saviour Jeſus Chriſt.

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We do Appoint *Robert Horn*, *John Baker*, and *John Redmayne*, to Print and Publiſh this Paper, and that none other Print the ſame.

*Peter Daniel.*
*Samuel Daſhwood.*

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*LONDON*,
Printed for *Robert Horn*, *John Baker*, and *John Redmayne*. 1684.

Some Remarkable

# OBSERVATIONS

ON THE

# PROCEEDINGS

AGAINST

# Sir Thomas Armstrong,

In His Majesties Court of *Kings-Bench*, at *Westminster*,
Upon an Outlawry for High-Treason, &c.

AS ALSO

On what passed at his Execution at *Tyburn*, and the PAPER th
delivered to the Sheriffs of *London*, and since Published.

IT is not with intention to overcharge the too Exuberant Press, or increase the number of Prints, that these ensuing Remarks are now Published; But considering the Age we now live in, and the Persons amongst whom, who are too ready to take any advantage to Palliate the *Treasons* and *Conspiracies* they have been found Notoriously Guilty of, and rather to Arraign the Laws that adjudged them, than Confess the Guilt they are adjudged of. That I have undertaken a little to look back on the Proceedings against, an the last Words of Sir *Thomas Armstrong*.

If ever any People had cause to say they lived under a Good and Gracious Governour, and an Equal and Impartial Government, it is certainly our selves; for as on the one Hand we ought to bless God for the Life and welfare of our present Monarch, so on the other for the Equal and Impartial Justice we enjoy under him. It is not with us, as in Times un-forgotten; that our Lives, Liberties and Estates, were at the Disposal of an Unjust and Tyrannical Usurpation: we have no *High Courts of Injustice*, no unordinary Proceedings that must be Warranted by subsequent Acts or Votes in *Parliament*, to avouch their Legality: but every Man may set under his own *Vine*, and sing a *Requiem* to himself in Peace and Plenty, well knowing that the increase of his Labour and Industry is his own Propriety, unless he justly makes a Forfeiture thereof by his Traterous and Criminal Actions.

Yet such are the Positions of too many amongst us, that we are apt to Quarrel with the Benifits we Enjoy, and Calumniate those Laws that Protect us, and those very Ministers by whose Just and Wise Disposal that Protection is derived to us.

But I look not on it as any great Wonder to hear the Thief complain of the Halter, and Traytor at the Severity of the Sentence; self love induces him to Plead some what for his Justification; tho of all Men our present Sufferrer had (on due consideration) least to say for himself which we now come to Examine,

A Horrid Conspiracy against the Life and Person of his Sacred Majesty, his Royal Brother, and the Government, was on foot, several of the Conspirators received Sentence, and were justly Executed for the same: others Fled; amongst which number, Sir *Thomas Armstrong*, was not the least nor last that avoyded Justice: for which he stood duly Outlawed, and five hundred Pounds by Proclamation laid upon his Head, as a Reward to him who should Apprehend him.

Upon which about a year after he was taken beyond the Seas, brought over, and Committed to the Goal of *Newgate*, and by *Habeas Corpus*, on *Saturday* the 14th this last *June*, brought up to the *Kings Bench-Bar*, *Westminster*, where he was Arraigned upon the Outlawry, and demanded what he could say for himself, why Execution should not be Awarded against him upon that Attainder according to Law.

His pretence was that he was beyond Sea at time of the Outlawry and begged to be Tryed, urging as a point of Law, the Statute of *Edward* the Sixt which provides, *That if a party Outlawed should within one year next ensueing the said Outlawry pronounced or Judgment given upon the said Outlawry,* **yeild** *himself to the* **Lord Chief Justice** *of* England, *for the time being, and offer to Traverse the Inditement, or Appeal, whereupon the said Outlawry should be pronounced as aforesaid, That then he should be received to the said Traverse and being thereupon found not Guilty by the Verdict, of Twelve men he should be acquitted of the said Outlawry*, &c.

But pray let us consider this Plea, and let any Impartial Eye take a view thereof, *If such party so Outlawed yeild himself*, Is it for a man to yeild himself to the Law, to run away shelter and abscond out of the sight and reach of it, to defie all Proclamations, and stand out from the legal and repeated Summons thereof and when at last by the care and caution of the Government he is forcibly taken and against his will brought in a Prisoner, to offer then to submit himself, and to take hold of what was never intended for him. If this be a yielding according to the Statute, then Sir *Thomas Armstrong* might tolerably enough pretend the same. But the Law is not to be Baffled. Had he indeed thro Remorse of Conscence, came and flung himself at the Feet of his Offended Majesty, and humbly have submitted his Head a Forfeit to Justice, or through sense of his Innocency, appealed to the Law and Justice of the Government; it might have born some weight, and without all doubt he would have had the favour of his Prince, and provision of the Law, which in this Case he was justly and regularly Abridg'd of. Nor could he as in a further part of the said Proceedings, is by him urged, claim any Right by what had been offerr'd to another Criminal in his Case. *A little while a go, says he, there was one in this Place had the benefit of a Tryal offered if he would accept it; that is the thing I now Desire. thank God my Case is quite another thing, the*

*ecency, and I desire to make it appear by a Tryal.* This nt by Mr, *Holloway*, but what was offerred to him, e Product of his Majesties Imparralel'd Bounty, ould never be demanded as a Debt, which was race and Favour. But their Cases says Sir *Thomstrong*, were different: true, the one had Con his Crimes, and in some measure begged his Ma- Mercy, but the other in a Contumelious Stubborn- tho the same had been ten times more palpably d against him, stood out and disowned it, in contra- on of the said Proofs, and even of the Circumstan- e then stood under: for had he been Innocent, at that time of the Day did he demand a Tryal? ight have had it before his Conscious Breast had en- him from his Wronged Country; or if the sense of ency had been so prevalent upon him, why did it ring him in to take hold of that benefit the Law ded for him?

t alas! these pretences have other meanings, than st sight they import; they are *ad Captandum Po-*, to make the Pur-blind Multitude, who can see further than what is before them, apprehend dship and Illegality in the proceedings against the nal, and consequently stir them up, at least, to a mu- s and Seditious Pity, if not a Rebellious Revenge. thus for as to the Proceedings, let us now look into Words he said at the place of Execution, *viz.*

ir Thomas Armstrong, *Mr. Sheriff, do you purpose to me any Questions?*

n. Daniel. *No Sir; you have leave to say what you please, shall not be interrupted unless you upbraid the Government.*

ir T. Armstrong, *Sir I thank you: But I shall not say thing by way of Speech to the People. Pray take this Pa- which contains my Mind; and I desire no other person ask me any Question.*

t is here Observable how cautious the sufferer was st any Question should be asked him that might have covered his Guilt, he was, you see, of the same humour ing as living, not only to avoid a free and open ntession of his Crimes, as he ought to have made in pect of Gods Command and the benefit of his own mortal Soul, but also the very appearance of any mod that might have tended thereunto; But let us ok into the Contents of his mind, which he declared be in the said Paper: And this as he left the same be- h him for the perusal of Posterity ought to bear me regard, But miserable is it to see how many false hours the same is varnished with, as if there were no ore to be looked after in the last Speech of a Dying n than to deceive the World and wrap up the rimes they dye Guilty of in Subdolous and double eanings.

*I thank Almighty God tho I have but a short time allowed I find my self prepared for Death, and my thoughts set on ther World,* This short time was much more than the orrid Conspirators would have allowed his Sacred ajesty and than the Law afforded him, *Yet I cannot give so much of my little time to set down in Writing my swers to some Calumnies raised since my close Imprisonment, well as what Mr. Attorny accused me of at the Bar, I as told a very great Person says I was a Spy of Olivers* shall not enter into the conceit of this report, as to it's dility or truth, nor into the further Justification of mself upon that Head, which he pursues in the next nes only say if there be truth in what he pleads for s Justification it is little to his present purpose and no nswer to his present concerns in the Execrable de- s he stood charged with, for if he was then a suffer- as he reaped the Glory thereof in his own satisfacti- , so was it a future incouragement to engage him in yalty to that Sacred Person who hath since honou- ed him with so many Acts of Grace, Favour and Ho- r: but to proceed.

n the next Paragraph he goes on to give an Account se Proceedings against him at the *Kings-Bench-Barr*, and that he had urged the Statute of *Edward* the to benefit himself with a Tryal, which he concludes to say was denyed him, and that *he was with an* **unordinary Roughness** *condemned and made a President, tho Mr.* Holloway, *a little before had it offered him and could not but think all the World would conclude his Case very different, else why refused him*: This hath been sufficiently exploded in the preceeding Page, tho I cannot but observe how he calls the Justice of the Land an *unordinary Roughness*, but further.

*Mr. Attorny said I was accused for being one of those that was to kill the King as he came from* Newmarket, *after the Fire, I take God to Witness I never had any such design nor ever had such a thought to take away the Kings Life neither had any man the Impudence to propose so Barbarous and base a thing to me, neither was I ever in any design to alter the Government of* England.

It is observable that in the late Horrid Conspiracy there were several parts So Col. *Walcot* was to Charge the Guards, But declared no design to kill the King; In like manner Sir *Thomas Armstrong*, (which he doth not deny) might have Charged the Guards and Destroyed the Person of his Royal Highness both which he was Indicted for, and yet no design *in his way* against the King, nor further saith he had I any design against the Government, that is, the *Monarchical* Government, for the Crown might have been Translated from the Sacred Head that wore it and yet Monarchy have been still preserved. Nor does he mention in his whole Paper any one word of the Plot it self for which he stood accused, but evades the General in striving to Answer this one particular which now he hath done I leave to the unprejudiced.

But he proceeds, I have Lived and now Dye of the Reformed Religion, a **True** and sincere **Protestant**; and in the Communion of the Church of *England* the name of **True Protestants** hath been sufficiently and dangerously known amongst us, under which satisfaction, he seems confident of the Pardon of God Almighty, and so draws to a Conclusion, *I thank God I have no Repining at my Heart, for the Condition my Sins hath most deservedly brought upon me, I have deserved much worse at the Hands of God.* He would have obliged the World and himself, in the Face of Heaven to have enumerated what those Crimes were, and doubtless we should have had a further Account of his *Treasons*. But says he *I do freely forgive all the World*, **even those Contrived in taking away my Life.** As for the sentence of *Death past upon me, I cannot but think a very hard one; being I think denyed the Laws of the Land.* Here's Blessing and Cursing all in a Breath; Forgiveness of the World and an unjust accusation of the Laws and Ministers of Justice in one and the same Sentence. *To Conclude*, says he, *as I never had any Design against the Kings Life, or the Life of any man; so I never was in a Design to alter the Monarchy.* The Truth of the last Clause depends upon the latter, *As I never had a Design to alter the Monarchy, so I had none against the Kings Life.* This is Cautelously Pen'd, he had not as before mentioned a design to alter the Monarchy, because he only intended to Translate the Crown from one to a nother Head, and not to Destroy the Monarchy, tho he changed the Monarch so that, If the latter be granted you must observe the Vanish of the former Clause.

But in the next Paragraph he tells you *I Dye in Charity with all the World*, and not without Justification, *and therefore I heartily Pray God to Bless the Church of Christ every where*, to what and how many *Churches* this extends, is very uncertain, I dare believe he excludes the *Presbyterian, Independant*, with the *et-cætra's* of *Schismatical*, and *Phanatical Congregations*, which is confirmed by his next Words, *these poor Nations*, True Protestant Cant, and in the last place, *the Kings Majesty*, whom God long preserve,

*London*, Printed by *Geo. Croom*, in *Thames-street* over against *Baynard's Castle*. 1684.

E 98

An Impartial

# ACCOUNT

515. L. 2.
92

Of the

# BEHAVIOUR

OF

# Sir Thomas Armstrong, K.

From the time of his

# APPREHENSION

To his Execution: With his Deportment at

# TYBOURN;

Where he was Executed for

# HIGH-TREASON,

On *Friday* the 20*th* day of *June*, 1684.

IT is not becoming amongst the *Living* to speak Ill of the *Dead*. Tho I cannot but imagine in cases of this nature, it is a kind of Duty incumbent on Mankind, to take notice of the Steps by which the Providence of the Almighty overtakes the *Criminal*. As all Sin deserves its Punishment, and will at one time or other, in this or another place meet its just Demerit; So rare it happens: but even in this Life we reap the Harvest we Sow, and the Measures we meeted unto others, are returned upon our selves. An instance of this fatal Truth, the Death of Sir *Thomas Armstrong* doth sufficiently verify. Nor certainly could any Person that in like manner ever suffered the sentence of the Law, less Murmur or Repine at the Justice of the Almighty therein, then himself. The Bloody Extravagancies of whose Life, and Debaucheries, of whose Principles and Practicies having so much deserved the same; and which have been so Notorious to all the World, that all good Men long since rejected him, and none but such who intended to make use of him, as the Mountebank of his Poyson, would admit him their Society. And this amongst others might have been one reason that made him espouse those Parties and Designs that brought him to this untimely End. But as he is gone to another Tribunal to answer those Crimes he hath been here Guilty of, I shall not again Arraign him: my present purpose is only to acquaint you of his Behaviour since his Apprehension and Confinement; and this some Men perhaps may expect to be according to the rules of his former Life and Conversation in a Romantick Bravery, as if he intended to outvie the great Conqueror of Mankind, and meet him with an unappalled Courage. But alas Death is not so to be trifled with, tho when we esteem it, afar off and beyond our Hearing we are apt to speak Contemptibly of its Power: yet when it appears within our view, the best of us are too prone to Tremble at the Dread [illegible]ings with it: nor certainly could the Prisoner be unde[illegible]ny less apprehensions of its Terrour; which tho he strove all he could to hide from the Eyes of Observers, thinking it a kind of Disgrace and Weakness to discover Fear in that Breast which was always reported the repository of Courage: yet after the Sentence he was very Melancholy, and called for what he had too often before then rejected; as not becoming the Complexion or Constitution of a Man of his Temper, to wit, the Holy Scriptures; which before his Execution he was often seen to Read and Peruse, with great Affection and Diligence ever and anon sighing at his Condition: yet such and so great an Obstinacy was he under whether from the hopes of being looked on as Innocent, and so in a way for Pardon, or otherwise hardened in his Iniquity by the great deceiver of Mankind, he would not be brought to a Confession of what he stood Condemned for, tho the same was so palpable against him, that even at the time of his Apprehension there were certain Letters found about him, which Discovered the Combination as the same had been, and was still carried on; besides the manifold proofs which in the tryals of his former Companions in the same Conspiracies, were notoriously Evident to the whole World against him. But when once a Man leaves his God, and is left of him, what strange Absurdities and Errors will he not Embrace, and how Difficultly is he induced to decline or recant them. Of his great Crime in this Case: I doubt not but he was well advised by that Worthy and Learned Divine, Dr. *Tennison*, who several times came to him, during the time he was in *Newgate*; and particularly on *Wednesday*, in the Morning and Evening of the same Day; and on *Thursday* in the Morning: at which time he Administred the *Sacrament* to the Prisoner; wherein with great shew of Penitence and Devotion he demeaned himself, during the whole time of the said Administration. And from thence during the whole Day ensuing, with a composed Christian like Temper: insomuch, that it

then hoped God had made him ſo ſenſible of the danger of the Condition he was under, that a true and ingenious Confeſſion of his Crimes and Confederates therein would have been the Iſſue thereof. Nor indeed was leſs expected of him, the next Night and the Morning following (being that on which he ſuffered) ſo great Pains having been taken by the ſaid Reverend and Loyal Divine before mentioned, to perſwade and induce him to the conſideration of his future Eſtate, an Entrance into which he was now ſo nearly approached unto.

The Hour of his Suffering was now at hand: The Right Worſhipful the Sheriff of *London* and *Middleſex*, about the Hour of Nine or Ten in the Morning coming to *Newgate*, and demanding their ſaid Priſoner, he was forthwith delivered unto them; being put into a Sledge that was prepared for his Paſſage to the Place of Death attended by a very numerous Guard, and ſo gre Number of Spectators of all Degrees and Qualities, that the like hath not been of late obſerved in any Execution of this Nature.

Nor was the Demeanour of the Priſoner leſs remarkable in his ſaid Paſſage; for tho he ſeem'd couragiouſly enough to behave himſelf, yet ſomething of Sullenneſs and Reſervedneſs of Humour appear'd in his Countenance whilſt he employed his Time in Reading that Pious and Excellent Piece, *The Whole Duty of Man*, till ſuch time as he came within Sight of the *Gallows*, when, he laid the ſame by, and with lifted-up Hands and Eyes, addreſſed the Motion of his Lips Heaven-wards. Nor did he leave off the ſame Poſture till he came beneath the Tree, where he ſtayed about a Quarter of an Hour in the Sledge before he aſcended the Cart that ſtood ready for him, deſiring the Sheriff to admit the Doctor, before mention'd, to him; whereupon, the Doctor was call'd for; but the Crowd was ſo great, it was not with a little Difficulty that he got to the Priſoner, Captain *Richardſon* himſelf being forced to make the Way. As ſoon as he got up to him, after the Salutation between the Priſoner and the Doctor, Sir *Thomas* delivered a Paper to the ſaid *Sheriff*, wherein it may be expected he hath made a becoming and ſatisfactory Confeſſion of his Miſcarriages for which he came to Dye; it being the only way he had to Ingratiate himſelf, in the laſt Period of his Life, to the Compaſſion of His Sacred Majeſty, whom he had ſo highly Injur'd, and, in ſome meaſure, to blot out that Aſperſion the Shame and Contumely of his Fate had brought upon him.

But what the Contents of the ſaid Paper were, I ſhall not take upon me, in the leaſt meaſure, to intrench upon, the ſame, without doubt, being intended to be expoſed in due time, with Authority, to the Publick.

After which, the Doctor before mentioned Kneeled down with the Priſoner, and for about half a Quarter of an Hour Prayed devoutly with him, recommending the Perſon, and Caſe of the Sufferer, to the Mercy of the Almighty, and Interceſſion of the great Redeemer of Mankind, *Chriſt Jeſus*, whoſe Blood and Merits are all-ſufficient to Pardon the worſt of Crimes and Criminals; concluding with that Perfect and Abſolute Form he hath left us for our Inſtruction when we Addreſs our ſelves to God the Father: in which the Priſoner audibly joyned with him.

During all which Time, he preſerved a becoming and heroick Countenance, little daunted with the Terror of that Fate he was in view of: but riſing from his Devotions, he pulled off his Cravat and Hat, which he gave to his Servant who attended him, and had followed him by the Sledge-ſide; when Kneeling down himſelf, he Prayed for a ſhort time with ſeeming Fervency and Devotion, begging Pardon of his God for thoſe manifold and crying Sins he had been too often Guilty of: and concluded with a Reſignation of himſelf to the God of Heaven and Earth, before whoſe Judgment-Seat he was forthwith to appear; deſiring that the whole World would forgive him, with whom, he hop'd, he died in Peace and Charity. Having thus ended thoſe Devotions, he again ſtood up, and putting off his Periwig, he had a White Cap delivered to him, which he put on; and being ſoon after tyed up, the chief of his Diſcourſe was addreſſed to a Gentleman who ſtood by him; and after a ſhort ſpace holding up his Hands, he again renewed his Prayers, his Viſage little changing all the time, till the very Moment the Cart drew away. The Executioner having pulled his Cap over his Eyes, he continued his Prayers all the time; and even whilſt he hung, as long as Life was in him, and he had the Command of his Lips, the ſame moved: But Death then came upon him, and he was forced to ſubmit to that great Tyrant of Nature, whoſe abſolute Command is ſo Imperious over all the Race of Mortality, that the moſt Stubborn muſt pay Obedience to his Laws.

Upon the Whole, Who is it but muſt acknowledge the Juſtice and Sovereignty of Heaven? That although it may for ſome time ſeem to Wink at the Enormities of Mankind, yet is it always ſo wakeful, and obſervant of the Life and Perſon of his Sacred Majeſty, whom he hath Called unto and Anointed in the Place and Dignity of the *Engliſh Monarchy*, that no Treaſon or Deſign againſt Him, can, or ever ſhall, be effected.

The ſame Providence that now Protects him from the Malevolence of this too Aſpiring and Ambitious Party, was that which formerly ſnatched him from their Hands and Deſigns, even then when they were fluſh'd with the Royal Blood of his Gracious Father, the beſt of preceeding Kings, and ſetled him again on that Throne they had before robb'd him of. And here it is that all Good Men muſt ſtand in Admiration at, and pay their grateful Returns to the Divine Power, who ſo miraculouſly appears in his Behalf. *If God be for us, who can be againſt us?* Is the Saying of Inſpiration it ſelf: And ſurely, if ever People had an Evidence of this Truth, our preſent Circumſtances afford us ſuch an one.

Tho the Bullets was prepared for the Royal Breaſt, the Perſons deſigned ready to Execute it, the Place, the Manner, and the Day appointed; and the very Deſign ſecure: yet God ſtep'd in, in the very Moment, and barred their Intents: of which number, this Gentleman was not the laſt, nor this the firſt time he had been concerned in the like Attempts, and that many Years ſince; which tho his Sacred Majeſty knew, yet, ſuch was his Mercy, then to forgive him; and ſuch the Priſoners Ingratitude ſince to forget it, and again embroyl himſelf in thoſe horrid Deſigns the World is now no ſtranger to: and for which, this juſt and condign Puniſhment hath been Inflicted upon him. Which Punniſhment, may all thoſe that are his Confederates in due time receive.

But, to return to my Subject, after ſuch time the Sufferer had hung about half an Hour, and the Executioner had diveſted him of his Aparrel, he was cut down according to his Sentence; his Privy Members diſſected from his Body, and Burnt; his Head cut off, and ſhewed to the People as that of a Traytor; his Heart and Bowels taken out, and committed to the Flames; and his Body Quartered into four Parts, which, with his Head, was conveyed back to *Newgate*, to be diſpoſed of according to his Majeſtties Pleaſure, and Order. Whom the God of all Power and Mercy preſerve with length of Days, and all manner of Increaſe and Happineſs; that as He is the beſt of *Kings*, He may be Bleſſed with the moſt Obedient and Loyal of People.

LONDON. Printed by *Geo. Croom*, at the Sign of the *Blue Ball* over againſt *Baynard's Caſtle* in *Thames-ſtreet*, 1685.

A Full

# RELATION

Of A

# Barbarous Murther,

Committed upon the Body of

# Esq; Beddingfield,

On *Sunday* the 20*th.* day of *July*, 1684.

BY

# Mr. Barney:

As Also

The further Account of the Tryal and Conviction of the said Mr. *Barney*, who is to be Executed for the same, at the Market-Cross

IN

# NORWICH,

On *Friday* the First day of *August*, 1684.

IF we look abroad in the World, and take a survey of the Actions and Transgressions of Man-kind, we may observe that God very rarely suffers Sin to go Unpunished even in this World: and more especially his Justice takes notice of the Sin of *Murder*, makeing good his own Word therein; *that he that sheddeth Mans Blood, by Man shall his Blood be shed*: yet so it is, that even this Sin is grown so Common amongst us, that scarce a Week passes over our Heads, but we meet with one or other Instance of this Kind; it being looked upon as one of the first Principles of Honour amongst the Sparks of the Age, to Vindicate the least Affront, (or what they shall please to term such) with a Stab or Thrust.

An Instance of this kind the following Relation will Furnish us with. The Judges of *Assize*, Assigned to hold Pleas for the City and County of *Norwich*, having opened their Commision on *Monday* the 14*th.* Day of *July* Instant, Mr. Justice *Windham* happning to be taken Violently Ill; the Business on the *Nisiprius* and *Crown side*, both was Managed by the Right Honourable the Lord Chief Baron *Montague*, which occasioned the dispatch thereof to be of longer Continuance than otherwise it would have been; so that the *Grand-Jury* could not be Discharged on the *Saturday* Succeeding;

ing; but their Attendance was Adjurned till the *Monday* following: the Gentlemen of the County attending the ſame Amongſt which Number Mr. *Barney* the Priſoner, and Eſquire *Beddingfield*, being Drinking together on the *Saturday* Night, continued together till about two of the Clock the next Morning: at which time, happening upon a Diſcourſe that raiſed ſome Diſpute and Difference between them: Mr. *Barney* being a Perſon very Quarrelſome, Words aroſe between them, and increaſed to ſuch a height, that Mr. *Barney* Drew upon the Eſq; and by 8 ſeveral Wounds in his Body: Four of which were found in his Back. the Eſq; was Slain in the Place, and Mr. *Barney* endeavoured his Eſcape, but the Noiſe thereof raiſing the Houſe, the Gates were Immediatly ſhut; and the Purſuit was ſuch that Mr. *Barney* was forthwith Taken: and being for that Night Secured, the next Morning he was Committed to the Common-Goal: and the Monday following a Bill was peferred againſt him; the *Grand-Jury* not being then Diſcharged, as aforeſaid; upon which they immediately brought in the ſame *Billa vera*. And coming the ſame Morning to be Arraigned thereupon, the Evidence againſt him was very plain that he both raiſed and continued the Quarrel; that he Diſhonourably Kill'd him, and that he was a very Contentious Perſon, and had before that time Wounded ſeveral Perſons, upon very ſlight Occaſions; it being very familiar with him when he wanted Moneys, if he asked any Perſon to accommodate him with a Supply, in caſe of a refuſal, he would threaten them with his Sword; and had Wounded ſeveral upon the like Quarrel.

The Priſoner had very little to ſay for himſelf, only that he was in Drink: thinking by one, to Excuſe another Crime; and that the Words that had paſſed between them, had provoked him into an Extraordinary Paſſion: in the Heat whereof, he had raſhly perpetrated a Crime for which he was extreemly ſorry: and for which he was not only ready to beg Pardon of God Almighty, but of the Relations of the Gentleman he had Slain. But this was not looked on as any thing of a Defence, but rather an aggravation of the Fact. So that the Petty *Jury* without ſtiring from the Bar, brought him in Guilty of the Indictment and Murder aforeſaid; whereupon he immediately received his Sentence: and a Rule was forthwith Iſſued forth for his *Execution* on *Friday* the firſt Day of *Auguſt* next enſuing, at the publick Market-Croſs in the City of *Norwich*. In expectation of which Sentence, he was remanded back to Gaol, where he now continues. Whence it may be obſerved as a Warning to others how they fall into the like Crimes: how juſtly the Judgment of God purſues the Criminal: and more eſpecially for thoſe Crimes which are Committed upon his own Day, which he hath ſet apart for himſelf, and for his Worſhip. Under a due conſideration whereof, it is hoped the Priſoner will conſider his Condition, and prepare for the Sentence againſt him. Eſquire *Beddingfield*, was a Gentleman of great Worth and Loyalty, and well beloved by all the Gentlemen: it being atteſted in his behalf by divers Perſons of great Eminency upon the Tryal, that he was free from the Vices of the Age, and never given to Quarrels or Contentions; inſomuch that he is extreemly Lamented by all the County, and none but acquieſſe in the Sentence as juſt upon the Priſoner: tho he be likewiſe one of a very Good Family, being the ſecond Son of an Ancient *Baronet* in that Country, and a Perſon of known Worth, Loyalty and Integrity. But the beſt of Men may often meet with unhappineſs in their Relations Grace, ſeldom running in the Veins of Generation: whence this may likewiſe be as a caveat to others how they bring Grief on the grey Hairs of their Parents, and put all Men upon remembring and ſerving their Creator in the days of their Youth, before the Evil days come, and the Years draw on wherein there is no Pleaſure: to haſten which days upon our ſelves is doubly a Sin: and that Perſon who is guilty thereof, eſpecially by the Crime of Murder may be looked on not only as Murderer of another but of himſelf, and at one ſtroke hazards his own Soul and Body at the expence of anothers Blood. From which Crime may the Grace of God be ſo prevalent upon us that we may not fall therein: nor ought the beſt of us be ſecure ſince, if we give way to our Paſſions and leave the conduct of Gods Grace and Spirit, the Devil takes Advantage: and having the Rule and Sway over us, many times leads us into the paths of Deſtruction; and then leaves us Miſerably to expect his juſt Judgment upon us, and the Terrors of an evil Conſcience to Rack and Torment the Criminal.

*L O N D O N,*

Printed by *George Croom*, at the *Blue-Ball*, over againſt *Baynard's Caſtle*, in *Thames-ſtreet*, 1684.

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# AN ACCOUNT OF THE PROCEEDINGS AGAINST Nathaniel Thomſon, UPON HIS TRYAL AT THE KINGS Bench-Bar Weſtminſter,

515. L. 94

*Who was Tryed, and found Guilty on* Wedneſday *the* 26th *of* November 1684. *For Printing a Dangerous and Seditious* LIBEL, *Intitled the* PRODIGAL RETURN'D HOME, *aſſerting the* POPES *Supremacy in Eccleſiaſtical Affaires*, &c.

THE Houſe of *Nathaniel Thompſon* the Printer, upon Information, that divers Seditious Books or Papers, were Printed by him: And eſpecially, a Book Intituled the *Prodigal returned home*; aſſerting the Popes Supremacy in Eccleſiaſtical Affairs being ſearched, *&c.* A conſiderable quantity of thoſe Books, were found and ſeized by Mr. *Stephens* Meſſenger to the Preſs; as likewiſe, a Book known by the name of *Doleman* about Succeſſion, whereupon Mr. *Thomſon* by virtue of a Warrant, being taken into Cuſtody, after ſome Examination was Committed to *Newgate*, Bail not being accepted, in a caſe of ſuch a dangerous conſequence; notwithſtanding, he moved by his Counſel at the *Kings-Bench* Bar, for a *Habeas Corpus*, which after ſome difficulty he obtained, and was thereupon removed *Corpus cum Cauſa*, to the *Kings-Bench*, and charged with an Indictment of Treſpaſs and Miſdemeanours, for Printing the ſaid Seditious and dangerous Libel; upon which, the Tryal come on upon *Niſi prius*, on the 26*th* of *November* 1684. when as the Council for the King, after the Juries being Impanell'd, and ſworn, opened the Caſe, Informing the Jurors that *Nathaniel Thomſon* the Defendant, ſtood Indicted, for Printing a Seditious and dangerous Book or Libel, aſſerting the Pope's Supremacy above the Kings, in order to withdraw His Majeſties Subjects from their Allegiance, and to bring a ſcandal upon the Eſtabliſhed Government *&c.* and that divers of the ſaid Books, Intitled the *Prodigal returned home*, had been found in his Houſe, that he had been noted for a Perſon, who had accuſtomed himſelf to Print and diſperſe Libells *&c.* which accordingly would appear to them upon Evidence, to this effect, the Indictment being opened, the Witneſſes were called and ſwo when as Mr. *Stephens* gave Evi-

dence

dence, that being Informed by one *Alexander Banks*, not long before in Service with Mr. *Thomſon*, that ſeveral ill Books ſeditious and dangerous to the Government, had been Printed by his Maſter, and that many had been diſpos'd, and that himſelf had help'd to Compoſe part of a Book, called the *Prodigal returned home*, and that he doubted not, if ſearch was ſpeedily made, ſome part of them might be found in the Houſe, he on the 21*th* of *October* laſt, taking to his aſſiſtance one Mr. *Clinch* a Conſtable, and ſuddenly entring the Houſe, found ſeveral of thoſe Books in Quires, and that he found another ſeditious Book, in the hands of Mr. *Thomſons* Maid ſervant, which ſhe had taken from her Miſtriſs, further urging, that he had formerly Printed and Publiſhed the Appeal, and the Libellous Pamphlet Intitled the Noble Peers Speech, *&c.* and that Mr. *Thomſon* ſince his confinement, had confeſſed he had Printed Three Hundred of the Books, for which he was brought upon his Tryal, but that he had done them for a gentle Man, that was to carry them beyond the Seas, not deſigning to diſperſe them in *England*, and that he had named the Author, but his name he could not well remember: The Evidence having proceeded thus far againſt the Priſoner, *Alexander Banks* was Examined, and demanded whether he had not Compoſed part of the Book in queſtion, who with many abrupt ſtammerings, endeavoured to deny it, although he had formerly ſworn it, and his Examination taken by Mr. Recorder, produced, for which willfull Retraction, being ſharply reproved, Mr. *Clinch* the Conſtable was Examined, who confirmed all that Mr. *Stephens* had ſworn, in relation to the finding the Books in the Houſe of Mr. *Thomſon*," adding, that meeting with Mrs. *Thomſon*, and perceiving her to hold ſomething ſlyly behind her, he demanded what it was, to which ſhe replied nothing, but he preſſing her to ſee it, her Maid took it out of her hand, and went about to eſcape with it, but was taken, and the Book ſeized, which imported matter of very evil conſequence.

Notwithſtanding, the Evidence being thus full, that the Jurors might the better underſtand the malicious deſign of the Libel, divers Paragraphs on which the Proſecution was grounded, were Read, Importing, that the Proſelites of the Reformed Churches, by reaſon of the Hereſie they embraced, were not capable of Salvation, and that St. *Peter* being once appointed Head of the Church, the Pope as his Succeſſor, derived this Power from him, and that all Eccleſiaſtical dignities muſt of neceſſity hold of him and the Biſhops *&c.* ought to be of his Conſtituting, Inſinuating how *Gregory* the Great, had the whole Power of Eccleſiaſtical Affaires in his hands, and that Chriſtian Princes intermedled not therein, when he ſent St. *Auguſtine* and his *Monks* into this Nation, who Eſtabliſhed the *Romiſh* Religion, and ſubjected the Eccleſiaſticks to the Sea of Rome, In fine, it altogether appeared to juſtifie the *Romiſh* Religion, and plead for the Popes Supremacy, magnifying the Pontifical Prelates, and juſtifying them in their Uſurpation, and unlawful claime.

To this the Priſoners Council made reply, that he hoped what had been proved, would not extend to make his Client guilty of publiſhing the Books(which he could not deny were ill and not juſtifiable) for as much as it did not appear, he had expoſed any of them to ſail, to which it was replied, that he had confeſſed he had Printed them, and it could not be Imagined he deſigned them for waſt Paper, or to diſpoſe of to any other end, than to diſperſe them, or that they might be diſperſed, and that ſuch things were of ill conſequence, nor had this been the firſt Libel the Priſoner had Printed, as had appeared upon Evidence, when little or no other defence being made, the Right Honourable the Lord Chief Juſtice, gave the Charge, fully ſumming up the Evidence, and minding them eſpecially, of what the Priſoner had voluntarily confeſſed, laying open the dangerous effects ſuch Libells might produce; declaring, that upon the Evident proof they had before them, and the confeſſion of the Priſoner which had been ſworn, they could no leſs then find him Guilty, whereupon laying their Heads together, without going from the Bar, they gave in their Verdict, that *Nathaniel Thomſon* was Guilty of the Treſpaſs, *&c.* And continued in order, to receive the Judgment of the Court.

*LONDON*, Printed for *A. Banks*, 1684.

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575. L. 2
95

# A Brief Account

OF THE

Indictment, Tryal, Conviction, and Execution

OF

# Mr. ROBERT BAILZIE

OF

## *JERRESSWOOD,*

Upon the 22th, 23th, and 24th of *December* 1684. at His Majesties Capital City of *Edinburgh*, in his Ancient Kingdom of *Scotland.*

Where the said Mr. *Robert Bailzie* was hanged and afterwards Quartered for

# HIGH TREASON.

ON Monday *December* the 22*th* 1684. about nine in the Morning, the said Mr. *Robert Bailzie*, of *Jerresswood*, had his Indictment by sound of Trumpet, and Heraulds in their Formalities, to appear the 23*th* at two of the Clock in the Afternoon before the Lords Commissioners of the Justiciary, at which time he did appear accordingly.

The Assize and Witnesses being called, and silence made, and he in *Pannel*; his Indictment was read by the Clerk of the Court with an audible Voice, to the effect following, *viz.*

That he, the said *Robert Bailzie*, having casten off the fear of God, Allegiance to his Sovereign Lord the King; had most treacherously, notwithstanding of several Laws and Acts, resett, harboured, maintained and corresponded with *Archibald Campbell*, late Earl of *Argile*, and Mr. *Veatch*, two desperat and fore-faulted Traitors; and that he had joyned in Councel with the late Lord *Russel*, Commissar *Monroe*, the Lord *Melvill*, Sir *Thomas Armstrong*, Sir *John Cochran*, the two *Cessnocks*, and divers others, in that hellish Conspiracy for taking away the Lives of his Sacred Majesty and Royal Highness, and for subverting the Government, and for that effect had assisted, voted, and consulted, for the uplifting of ten thousand Pounds Sterling, for buying of Arms, to be employed for raising of Forces, &c.

His Majesties Advocate produced his Warrand from the Lords of the Privy-Councel, for his Insisting against him, and Sir *George Lockhart*, and Sir *John Lauder*, upon their Allegiance to assist the King's Advocate, which they did.

The Advocates for the *Pannel* (*i. e.* Prisoner) were Sir *Patrick Hoome*, Mr. *Walter Pringle*, Mr. *William Fletcher*, Mr. *James Grahame*, and Mr. *William Bailzie*, who protested they might have the liberty of a free Debate, which was granted, and they insisted, that as to the Corresponding with the Rebels libelled, it ought not to be sustained as a point of Dittay, it being *Res hactenus Judicata*, the *Pannel* being fined in six thousand pound Sterling before the Councel for the said Crime already.

His Majesties Advocate hereupon restricted his Libel to the other Crimes libelled.

The Lords found the Libel Relevant, and admitted the same to Probation.

Then the Jury were chosen and sworn, *viz.*

The Right Honourable the Earl of *Strathmoir.*

The Right Honourable the Earl of *Balcarras.*

Sir *George Skeene*, Provost of *Aberdeene.*

Sir. *James Flemminge*, Provost of *Edinburgh.*

Sir. *John Ramsey* of *Whitehill.*

Mr. *Andrew Hepburne* of *Humbie.*

Mr. *Andrew Bruce* of *Earlshall.*

Mr. *John Stewart Tuttor* of *Appin.*

Mr. *Alex-*

Mr. *Alexander Muir* of *Carrin*.
Mr. *James Ellies* of *Strinhouſe Mills*.
Sir *William Drummond* of *Hauthornden*.
Major *Andrew White*, Lieutenant of *Edenburgh* Caſtle.
Mr. *David Grahame*, Sherriffe of *Wigtoun*, and *David Barnet* Merchant *in Edinburgh*.

The Witneſſes were called, and firſt the Right Honorable the Earl of *Tarraſs*, who depoſed, that Mr. *Robert Martin* was ſent from *London* by the *Pannel*, and other Conſpirators there, to perſwade his Lordſhip, and ſeveral other *South* Country Gentlemen to riſe in Arms, ſecure *Berwick*, the Caſtles of *Edinburgh*, and *Striveling*, the Officers of State and Army; which being done, they were to have preſſed his Majeſty to have permitted the Parliament of *England* to have ſitten, and to paſs the Bill of Excluſion; and many more things his Lordſhip very clearly depoſed.

The Advocates for the Pannel objected againſt the Earl of *Tarras*, that he could be no Witneſs, for he being *Socius Criminis incarceratus & ſub metu Mortis*, and being indicted for the ſaid Crimes *Regiam Majeſtatem*, the Act of *Robert* the Second and Common Law allowes no Witneſſes to be allowed in ſuch Caſes.

His Majeſties Advocate anſwered, that in Plots and Conſpiracies it was impoſſible to have proved the ſame, except ſuch Perſons were ſuſtained as Witneſſes; So the Lords repelled the Objection in reſpect of the Anſwer, and ſuſtained his Lordſhip a Witneſs.

The ſecond Witneſs was *Commiſſer Monroe*, who was brought from his Majeſties Caſtle of *Blackneſs*, by a Party of Horſe of the Lord *Drumlanrick's* Troop, and depoſed that the Pannel was preſent at ſeveral meetings at *London*, and that he did contribute for ſending Mr. *Martin* into *Scotland*, and that he deſired he might be ſent to *Holland* to the Earl of *Argile*, with the ten thouſand pounds Sterling; and many more things to this Purpoſe and Effect.

The third Witneſs was *Murray* of *Phillip-haugh*, and *Scot* of *Gallowſheilds*, who both depoſed *Conformes precedentibus in omnibus* as to the riſeing of Arms, *&c.*

His Majeſties Advocate produced for further Proof the judicial Confeſſion of Mr. *William Carſtares* before the Lords of the Privy Councel, *&c.*

The Probation being cloſed, the Advocates on both ſides made very learned Speeches to the Aſſize, (*i. e.* Jury) who immediately thereafter, *viz.* at the hour of twelve at Night, did cloſe themſelves in, and having choſen the Earl of *Strathmoir* Chancellor, (*i. e.* Foreman) they roſe about three a Clock in the Morning, and at nine brought in their Verdict, *viz.*

That they found it proven that he was Art and Part in the Crimes libelled, and that he had concealed the ſame.

Which being publickly read, and the Verdict thereafter cloſed by the ſaid Earl his Seal, the Sentence of Death was pronounced as followeth.

Forſameckle as it is found by an Aſſize, that Mr. *Robert Baillzie* of *Jerreſwood* is guilty of the particular Crimes mentioned in his *Dittay*, Therefore the Lords Juſtice General, Juſtice Clark, and Remanent Lords Commiſſioners of his Majeſties Juſticiarie, and I in their Names, decree and adjudge the ſaid Mr. *Robert Baillzie* to be taken to the Mercatt Croſs of *Edinburgh*, this preſent 24th Inſtant of *December*, and there, betwixt two and four a Clock in the Afternoon, to be hanged on a Gibbet until he be dead, his Head to be cut off, and affixed upon the Netherbow of *Edinburgh*, his Body to be quartered, the one Quarter to be put upon the Tolbooth of *Jedburgh*, the other on *Lanrick*, the third on *Aire*, and the fourth on the Tolbooth of *Glaſgow*, and Ordaines all his Lands and Rents, Goods and Gear, to be forefaulted to his Majeſties Uſe, his Arms torn and rent, his Coat Armor all to be razed out of the Lyon Books, ſo that he, nor none of his Poſterity, ſhall bear Arms in time to come.

The Sentence being given by ſound of Trumpet, and Heraulds in their Formalities did tear his Coat of Arms in face of Court, trample the ſame under foot, and did caſt them in his face, and thereafter went to the Mercatt Croſs, and performed the reſt of the Solemnities uſual.

Juſt before the Sentence he profeſſed he was never privy to any Conſpiracy againſt the Life of his Sacred Majeſty, Royal Highneſs, or any Perſon in the World, and that he never did deſign to ſubvert the Government, but what he had done, was for the Redreſſing of ſuch Grievances he thought were lying upon the Nation, and that he died Innocently, and with a good Conſcience.

After Sentence, all he ſaid was, That he had too ſhort a Time.

At the Place and Time in the Sentence mentioned, he was Executed, ſaying very little on the Scaffold.

FINIS.

*London*, Printed for *W. Davies* in *Amen Corner*, 1684.

A. Higgens (J.)
575. L. 2
96

A Sad, but a True

# RELATION

OF A

# PERSON

WHO

On *Munday* the 15*th.* of this Inſtant *February*, was found Dead in a Wood near

# HIGHGATE;

Being

**Firſt diſcried by the Dogs of ſome Gentlemen that were there Hunting.**

THere is but one way of coming into the World, but many paſſages out; nothing is ſo ſure as Death, and nothing ſo uncertain as the time. We may be two old to Live, but can never be too young to Die; for who knows when Death will Summon him, whether in Youth, in Manhood, or in Old Age; we have frequent Examples of all; or who knows whether God will take away his Life by a long Death-bed Sickneſs; whether thou mayſt Die by the Sword, or by any ſudden Caſualty; of all which we have daily Examples in our Weekly Bills of Mortality, and this preſent Story Relates a Remarkable one, of one ſuppoſed by ſome Papers found about him,

to

to be named *John Higgens*, who on *Monday* the 15*th.* of *February*, was in this manner found Dead.

Squire *Fawcett* and ſome other Gentlemen being a Hunting the day aforeſaid, the Dogs running into a wood in the Parish of *Finchley*, near *Highgate*, in their Scent found the Body of the aforeſaid Mr. *Higgens*, and made ſome ſtop, upon which the Gentlemen coming up ſaw the ſaid Body lying on one ſide, and was ſo putrified they were fain to get the weather ſide: His Eyes were both Eaten or pecked out, but that which was moſt remarkable, the inſide was eaten with Vermin, and the Skin in a manner whole; he had on a Black *French Hat*, and a Mourning Hat-band, with a white Cloth bound about his Head; he had alſo a Black Suit almoſt New, but that part which was downward Rotted away, by the dampneſs of the Earth: He had a pair of Fring'd Gloves, a new pair of Shoes, with ſteel Buckles, a Bamboon Cane with a Silver Head. The Gentlemen leaveing off their Game, orders were given for his removal to one Mr. *Ralph Bradſhaw*'s Barn, after which he was Cried in thoſe parts, but no Relation could be given of him; then the Maſters of the Pariſh ſent for Mr. *Hariſon* the Coroner, who iſſued out his Warrant to impannel a Jury, which done, they ſat upon the ſaid Body at Mr. *Bradſhaw*'s Houſe, formerly the *Kings-Arms* without *Highgate*; his Shirt was marked with *F. D.* In his Pockets were two Neckcloths, ſome ſmall matter of Money, and three written Sermons, each of which had the name of *John Higgins*; which Sermons are in the Hands of the aforeſaid Mr. *Bradſhaw*, where any Perſon may go and Read them: The Text of one was in the 19*th.* of St. *Luke.* and the latter part of the 13*th.* Verſe, *Occupy till I come.* The other *Iſaith* 53 the latter part of the 8*th.* Verſe, *For the Tranſgreſſion of my*

*People*

*People was he Stricken.* The other *Eccleſiaſtes* the 11th the latter part of the 9th. Verſe, *But know that for theſe things God will bring you into Judgment.* The Jury ordered the Corps to be Buried on *Friday* Night laſt, at *Finchley*, ſome two Miles from *Highgate*, but ſuſpended their Verdict for ſome time, it is believed he could not have been Dead leſs than ſix Weeks. Thus we ſee every Week produces freſh Inſtances of one ſad Spectacle or other, which Divine Providence often times permits to happen, that the ſurvivours may be timely warned of their latter end: Let therefore every Chriſtian make a right improvement of theſe Judgments, by a holy amendment of Life, in living every Day as they were to Die the next, and humbly to ſupplicate the Almighty, in that form of Prayer taught us by the Church, *From Plague, Peſtilence, and Famin, from Battel and Murder, and from ſudden Death good Lord Deliver us.*

*FINIS.*

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*This may be Printed,* R. P.

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*LONDON,*
Printed by *George Croom*, at the *Blue-Ball* in *Thames-ſtreet*, near *Baynard's-Caſtle.* 168½.

# SOME REFLECTIONS ON THE PAPER DELIVERED UNTO THE Sheriffs of LONDON, BY JAMES HOLLOWAY At the time of his EXECUTION.

Entred [illegible] A R.

IT cannot be otherwise than matter of astonishment to all Loyal and Ingenuous Men, to behold the unquiet and restless Principles of too many amongst us, who think it not enough to broach and spread about their Doctrines of disobedience, but also to endeavour to debauch the Palates and Understanding of their Pupils, so that the Poyson they deliver may be esteemed as the wholsomest Food they receive; of such Men, and such Principles, we have lately met remarkable instances: A Horrid Conspiracy hath been a foot, a Conspiracy to ruine the Goverment we live under, to destroy the best of Kings, and the best of Religions, and this apparently proved by such pregnant Testimonies, that Infidelity it self might have been silenced. The Judgment of God hath overtaken many of the Conspirators, and justly have they suffered for the same; yet hath the Impudence of those men been so extravagant, that they have, and do endeavour to Ridicule and Sham the same, and in plain words tell the World, (*a*) *The Plot is left here except you find it in the Country amongst the Abhorrers and Addressers.* It will not therefore be amiss if we examine the Confession of the last Sufferer, who, at the brink of death, when his Soul was ready to launch forth into the Ocean of Eternity, and the prospect of Judgment and Immortality was before him, freely and voluntarily asserted his knowledge of those Crimes he came to suffer for: And tho' we needed nothing of this nature to corroborate the other proofs thereof, yet as the same were the words of a dying Man, they may prevail on the misled and ignorant, to take off that prejudice they have too long lain under; and satisfy the whole world, that those who pretend the greatest Innocency, and deceive mankind with their false and specious pretences of asserting the Liberties and Properties of the People, are the very men, that in the same breath, at the same time intended the greatest Invasions thereupon.

In order to which examination, I shall only take to pieces that Paper Mr. *Holloway* delivered at the time of his Death to our present Sheriffs; wherein he begins:

*To stop the Mouths, &c. of all Pamphleteers and News-Scriblers, who have done more prejudice to His Majesty and Kingdoms by their impudent endeavours to Sham all Plots and to fill the Country with false news than they will be ever able to retrieve and to satisfie: all I leave behind me, I thought good to draw up a short account of what I knew of the late* Protestant-Plot, &c.

Herein the Reader may observe a plain Confession of the Plot in gross, the *Protestant-Plot* as the Sufferer termed it, and his Reason for publishing what he knew thereof, To stop the mouths of such virulent and impudent Scriblers who endeavour to Sham the same, and put a false gloss upon such black and Tremendous Actions; nor is he

(*a*) Sir Barnardstones Letters in Tryal.

he at all out in his opinion, that ſuch as theſe do a greater injury to the King and Kingdom than they are or can be in any Capacity to retrieve; for if we conſider how great a Providence was ſeen in the diſcovery of the Nations worſt and moſt implacable enemies in the midſt of their horrid and abominable Contrivances, all endeavours to ſtifle the ſame muſt needs be Impious in the higheſt degree, for hereby the Government is ſlaundered as unjuſt and cruel for ſhedding the blood of ſuch who have lawfully ſuffered in the ſame; Rebellion is covered with the name of Innocence; the ſentence of the Law duely executed is called Murder; Vice wears the mask of Vertue: The Wolf is got into Sheeps cloathing, and none can diſcern his Enemy in the diſguiſe of Friendſhip; tho' the Pit be dug to betray us, we are led on in a pleaſant and enticing Path, without fear or apprehenſion of our danger, till the moment of our Ruine confronts our Preſumption. But farther proceeds the Sufferer, to the particulars of his concern in the ſaid Plot, wherein he aſcribes his firſt knowledge thereof to his Publick Spirit, which led him to attend Affairs beyond that capacity wherein he had been bred, in the following of Parliaments for the perfecting ſome deſigns on foot in order to the improvement of the Linnen Manufacture, &c. In which I would obſerve, That men, when they leave Calling that Providence hath allotted them, and would ſoar into a ſphere above them, they very rarely miſs the fate of *Dedalus*, their Molten Wings deceive them, and their fall too late gives them notice of their ruine. And here adds he in this Attendance upon that Parliament, *The more I knew, the more I was deſirous to know, and did by ſome Scriblers and News-mongers conſtantly know moſt of the publick affairs that were acted, which they undertook to repreſent according to their own humour; many Actions being repreſented very Illegal, much againſt the Proteſtant intereſt in favour of Papiſts,* &c. *Shamming the Popiſh Plot upon the Proteſtants, abuſing the Rights and Privileges of the Subjects, the truth of which I leave to the judgement of all; but hearing many ſuch-like things, was eaſily prevailed with to be concerned in the Plot, according as it was propoſed to me,* &c.

When the Devil hath a work to do, he uſually Employs ſuch Agents as may beſt deceive the Incautelous, and accordingly ſo diſguiſes them, and puts ſuch Words into their Mouths, that you would take them rather for Angels of Light, than Miniſters of the Infernal Lord. The Lying Prophets came in the name of God with as much Zeal in their mouths, and appearing Truth, as thoſe by God himſelf appointed; nor in like manner was the late faction any thing cautious of cloaking their pretences in the Livery of Heaven, Zeal was in their mouth, and Treaſon in their hearts; Property and Liberty was their cry, Slavery and Bondage their deſign; True Proteſtant Reformation their pretence, Hereſy and Schiſme, the Deſtruction and Ruine of the Eſtabliſhed Religion and Government their laſt aim; and in ſhort, knowing they could never perpetrate their bloody and worſe than ſavage intetions, if the ſame were brought in naked, they Cloathed their Deformities in a Presbiterian Jump, and made Religion the Pander to uſher in the Cheat. But further he goes on, *About* July 1682. *I met* (ſays he) *a perſon who gave me an account touching the Election of Sheriffs of* London, &c. *and the Illegality thereof, ashe repreſented the ſame; whereupon the Proteſtant Gentry were reſolved to remedy what was deſigned, by an Inſurrection in ſeveral parts of the Kingdom; and, if poſſible, to get the King off from his Evil Councellors,* &c. *That it ſhould begin at* London, Briſtol, Exeter, Taunton, Cheſter, York, New-Caſtle, *and therefore deſired we might conſider how it might be managed in* Briſtol, *which they did, and concluded, that* Briſtol *with about Three hundred and fifty men might be eaſily ſurpriſed,* &c.

*In* April, ſays he, *I heard of another deſign againſt the King and Duke of* York, *as they were to come from* New-market, &c. *When I heard it, I declared my abhorrance of any ſuch thing, I was confident none in our parts would be for it.*

Here he confeſſes he did know of this deſign, and tho' he would be thought ingenuous, in his abhorrence thereof, yet too much of the Phanatical Leven poſſeſſed him, Why did he not reveal it? Can that man be ſaid to abhor a Crime, that when the ſame is diſcovered to him conceals it, and Cloſſets it in his breaſt till the ſame is perpetrated on his Neighbour? much more in this caſe, the Life of His Moſt Sacred Majeſty and that of his Royal Brother were deſigned, the very Arms bought and ready that were to effect the ſame; the men, the manner, the place, and every circumſtance agreed on the Helliſh wickedneſs in proſpect of performance; the performance ſo execrable in it ſelf, that words are not ſignificant enough to expreſs the horror of it, nor Imagination comprehenſive to fathom its guilt; and yet to cover this, to lodge it quietly in his breaſt, and yet own, or brag of his abhorrance of it, is Hypocriſy againſt the Devil, and can admit of no excuſe. But further he ſays.

*The general Deſign for the Inſurrection was carried on by others, who tho' they made a great ſtir in the Nation, trying the Inclinations of people, and had treated with the* Scots *and* Iriſh *as I heard, who were to be ready at the ſame time, yet never came to any reſolution as to any time or Method before all was diſcovered, tho they had been Eleven Months contriving it from the time I firſt heard it. This I hope will be enough to ſatisfie all people there was a PLOT.*

Had we had no other Proof, ſurely this muſt, beyond all doubt, ſatisfy the whole World of the truth of theſe Deſigns; yet can I not but obſerve how nearly the ſame agrees with every part of that Evidence that hath been before given in at the Tryals of ſuch who have deſervedly ſuffered Death for the ſame, the like previous complaints you were by them acquainted with, the Magiſtracy illegally choſen, Popiſh Councels and Miniſters about the King, Arbitrary Government coming upon us, Property and Liberty invaded, Shamming the Popiſh Plot, &c. And therefore

fore upon theſe grounds (ſay they) the Rebellion was intended, and the Death of the King and His Royal Highneſs deſigned, and all this and you ſee is but a counterpart of this Gentlemans laſt words; ſo that though all good Men never doubted the veracity hereof before, yet now certainly the worſt can never have Impudence enough to go about to evade it. When the late *Jeſuits* who were executed in the Popiſh-Plot deny'd their concern therein, and in the words of Dying Men aſſerted their Innocency, it was objected againſt them, that the Religion they had Imbibed allowed them for the good of that Church (whereof they were Members) to diſown what the came to ſuffer for: I ſhall not diſpute the Validity or truth of the Charge, but ſure I am, amongſt Proteſtants, There is no ſuch tenent, to allow men in their laſt hours to ſpeak what is falſe on any pretence whatſoever, much leſs to give them liberty to charge themſelves and others with what they never did or were guilty of.

But to proceed, this Gentleman goes on, *The Arguments* (ſays he) *before-mentioned, with many others to the ſame Effect, not only ſoon prevailed with me, but made me indeed think it my duty to do what I could for my King and Countries ſafety, being then fully perſwaded, that not only Popery, but Arbitrary Government was intended; not then conſidering, (as I have ſince conſidered) how much Bloodſhed it might have cauſed in the Nation; for then I thought all would have been ended in a little time, ſuppoſing things to be as to me was reported: But I now declare my Hearty Sorrow for my yielding thereto, and acting therein; (this I can ſafely ſay, I was not for taking away the Kings Life, but wholly for his Preſervation) yet am ſatisfied that it might have cauſed very much Bloodſhed in the Nation, and am glad it did not take Effect. And am ſatisfied it was a great Sin againſt God,* &c.

What this Gentleman gives to palliate his offence, and make that a Duty as he calls it, which was his Crime, is ſo far from giving any Colour thereunto, that let any ſober man obſerve it, and he will conclude it rather a Sopheſtical aggravation thereof. *I thought it my duty,* ſays he, *to do what I could for my King and Countrys ſafety.* A ſpecious pretence, but pray mark him, an Inſurrection was to be made, the Peace we had ſo long enjoyed, and was then likely to enjoy could they have been quiet, was intended to be diſturbed. We neither heard of Warrs nor Rumours of Warrs, but from themſelves; the King was to have been ſeized, his Friends taken from him under the Title of *Evil Councellors*, and yet this Conſiſtent with the King and Kingdoms ſafety, nay, the Life of his Sacred Majeſty was threatned, his Royal Brother to ſhare the like Fate, and this known (as above) to the Priſoner, and all the while he and his Brother Phanaticks doing their Duty for their King and their Country. Oh! but *Popery and Arbitrary Government was intended.* I know not in caſe of their deſigns going forward, what ſecurity we ſhould have had againſt Popery, tho' I am apt to believe it had been the greateſt help to the introduction of it, under the Common diſturbances that would have enſued, that they themſelves could have wiſh'd for; as for the Latter, I may be more certain, that nothing could have poſſibly followed the ſame; if ever they had prevailed, but the moſt Tyrannical and ſlaviſh Government in the World; for that Kingdom whoſe Foundation is in Blood, muſt have its Superſtructure in Slaughter; and nothing but Devaſtation and Ruine of the beſt, at the will and pleaſure of the worſt, can ever be expected therein. An Inſtance whereof too many of us too fatally remember in the late Uſurpers days, our Channels were filled at the Expence of our Becaeſt and moſt Loyal Veins; the Scaffolds, beſides that of the beſt of Kings, was almoſt every Month ſtain'd with ſome or other of our Nobles Blood; our Eſtates at the Mercy of a Tyrant, who thought it crime enough for any man to think him ſo; and as if he could have ſeen into their Breaſt, though their Lips ne're uttered the ſame, that or their Lives were the Price of their inexpreſſed Loyalty: and this is all good men might behold, as the end of the ſaid Deſigns of our late Plotters, had the ſame taken effect; and which is the next words, our ſufferer takes notice of, *not conſidering then how much Blood,* &c. But this he confeſſes brought him to a ſorrow for his Intentions, and he owns it before all the world, *That he then was glad it did not take Effect,* and owns it as a Sin againſt God Almighty, *not only in deſtruſting his Providence, but taking his Work out of his Hands*; and certainly, if we conſider that God hath placed our great Magiſtrate over us to be obey'd, and hath left himſelf only his Superiour to call him to account for his actions in the Throne he hath Seated him, each irreverent word, or diſobedient thought to this his Subſtitute on Earth, is a Crime againſt Heaven, how much more then would it be, to ſtrive with theſe Saints, theſe Proteſtants, Reformers, and true Chriſtians, though indeed the worſt of Rebels, to dethrone him. Could they plead in excuſe, that as he is the beſt of Kings, he was the worſt of Tyrants; as he is the moſt merciful amongſt all the Princes in the World, he was the moſt Savage and cruel; as he rules and governs in the higheſt and exacteſt Juſtice, diſtributing to every man his right, the Sword was his only Arbiter; and the Portion of every mans Inheritance, the right of his pleaſure; yet theſe were not enough to Juſtify a Rebellion, to ſuch a Prince we are bound by all Laws Humane and Divine to ſubmit. But happy is it for us, we have as much reaſon to obey him for his goodneſs, as we are bound to do the ſame in Duty; and may all thoſe that think otherwiſe, meet a reward for their Crimes, proportionable to the ſame. But our Sufferer, after his Confeſſion aforeſaid, comes and tells you, *that he was not, nor would be compelled to ſay what he did, but that it was his Reſolution to declare all he knew concerning the Plot, and alſo to do what in him lay to prevent all Plottings for the Future, and to put an end to the Heats,* &c and afterwards ſays, *when I gave in*

*my Confession, I stood not upon terms of a Pardon, being confident if Truth will merit Mercy from the King, I should have his Pardon. and that it was the only way to gain Mercy with God.* And afterwards, *I Repent not my Confession, and could I discover more, I would do it willingly, though I find not Mercy with Man.* So that upon the whole, here is a Ingenious Confession of the said Phanatical Plot, and a proofe against all the Cavils of the worst of men, that the same was not a slight and ill grounded design, but laid deep, and intended against the bottom of the Government, against the life of the best of Kings and Brothers, and in short against Monarch and Monarchy it self, whom God grant long Preservation unto.

*FINIS.*

*LONDON:* Printed for *W. Davis* in *Amen-Corner*, 1684.

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# The Counter-Rat,

OR

# OATS

Sifted and Sack't up in the

# COUNTER,

And ſince Removed to the

# KINGS-BENCH,

In a Letter to *W. C.* Eſq;

575. L
39
K. T. A

YOU have heard, ſince the laſt Nipping Froſt, how the Rate of Corn goes in *England*; the *Wheat* being withered in the Stalk, and the *Barley* blaſted in the Blade, Legions with the warm Sun to peep out again, all ſorts of Grain begin to Flouriſh but *Oates*, which dare not ſhow his Head above Ground.

Hearing he was abſconded, I made (according to your Poſt, &c.) the narroweſt ſearch I cou'd, *viz.* by *Hue* and *Cry*; *Bell*, *Book*, and *Candle*; *Publication*, *Proclamation*, *Narratrve*, and *Remonſtrance*. I ſearched the Markers and the Coffee Houſes, for fear they ſhou'd Roaſt him inſtead of Coffee Berries, the *Black Box*, and the *Meal Tub*, leaſt he ſhould like another *Phœnix*, raiſe a new Plot out of his own *Duſt*. I ſearch'd the new King of *Polands*, where he us'd to Reſort, and his Neighbouring Tavern, the *Dog*, in *Drury-Lane*, for fear the Hound *Bowman* ſhou'd hang him at his Sign-poſt for a Buſh, or the *Tories* keep him for a Bonfire the next general *Club*: I ſearch'd the *Cabals* & *Conventickles*, leaſt the Saints ſhou'd gather him up (as *Joſeph* did the Corn in *Egypt*) for fear of a Famine of the Goſpel. I ſearch'd the L. *Peter's* Magazine, and the L. *Powis's* Stables, leaſt he ſhould be ſtored up to feed the Subterranean *Troops* of *Horſe* that lay inviſible under ground, againſt the next *Invaſion* of *Spaniſh Pilgrims* Viſible only to himſelf. For this, *Mephiſtophilus* has an Inviſible *Familiar* that renders every thing Viſible to him, which no Man beſides himſelf can diſcern with a proſpective. As *Black Bills*, *Blank Commiſſions*, *Armies* of *Pilgrims*, &c. of the ſame Nature where his *Baptiſm* and degrees at *Salamanca*, which no Man Living was ever Witneſs to but himſelf; for from this ſo fam'd *Salamanca*, came this ſo infamous *Oats*, this *ſeed* of the *Serpent*, to be planted in *England*, as the Plague from *Paris*, or the *Pox* from *Naples*.

But for the better Grace of the matter. As *Barley* is called Sir *John Barleycorn*, *Wheat*, Sir *William Whitebread*, and green Peaſe in the Cod, young *Haſtings*, ſo for Diſtinction ſake, hereafter we will call our *Oats*, *Doctor*, or *Salamanca*, which you pleaſe.

Now after all my ſearch above and under Ground, where the Devil do you Imagine at laſt I ſhould find my *Reverend Doctor*, but in the *Counter*, where he was carried on Saturday Night for a *Rat*. And

And now I know you will be ready to ask the Cauſe why this Darling of the People, this Saviour of the Nation, ſhould be ſo ill Rewarded for all his Services?

This Devil of the People, and Firebrand of the Nation; This *Counter-Rat*, this Vermin of the Crown and Court, this Poyſon of the State, and Peſtilence of the Church, is juſtly Committed for *words* more Malitious than *Colt*, the *Hereford Member*; and *Miſdemeanors* higher than Sir *Samuel* the *Ignoramus Foreman*. His *Accuſations* are Numberleſs, his *Crimes* of the deepeſt *Scarlet*, and his *Countenance* of *Braſs*. It is as Impoſſible to tell them, as to find a *Puniſhment* anſwerable to his *Deſert*.

Beſides, his *Murders*, *Perjuries*, *Blaſphemies*, &c. He wou'd pretend to ſet up for a *Mountebank*, and inſtead of *Orvietan* impoſe *Poyſon* upon the People, by which many have been betrayed out of their Lives. Nay, by this Means, under pretence of *Preſervation*, he ſought to Deſtroy his Native *Soveraign*, and had almoſt purg'd his Royal *Brother* out of the *Kingdom*.

This not taking Effect, and his *Cheats*, by which he had Impoſed on the Credulous Multitude, being at laſt Detected, the Inſolent *Rat* begins with Open Mouth to Rail againſt the *Lyon*, *King* of the *Forreſt*, becauſe he wou'd not Call an *Aſſembly* of the *Beaſts* to Rule in his Place, and Diveſt him of his *Regal Authority*. He took it very ill, that the *Lyon* did not *Reign* over the Caſtled *Elephants* of the *Court*; wou'd have all about the *Lyon* Remov'd, that the *Leopards* and *Panthers* might have a Tug for the *Sovereignty*, and was very Angry, that there was not a Toleration Granted to the *Wolves* and *Tygers*, by Lawleſs Uſurpation, to Prey upon the Harmleſs *Sheep*, and Glut their *Ravenous Jaws* with *Innocent Blood*.

The Generous *Lyon*, Diſdaining the Reproaches of this Mean and Infamous *Rat*, left him to the Mercy of his Brother *Lyon*, who Bore a long time with his Inſolencies; till being at laſt Provok'd by his Inveterate Venomous Tongne, and Scandalous Invectives, Clapt him into the Pound for Treſpaſs and Damage of a Thouſand Innocent Sheep Worry'd by him, and his Accomplice, for which, its ſaid, he muſt Pay ſo many Pound before he come out.

Next to the *Lyon King* of *Beaſts*, and his R. *Brother*, this Poiſonous *Rat* Spit his Venom againſt the *Jackcall*, who was Serviceable to the *Lyon* upon all Occaſions, and Aſſerted his Rights and Priviledges againſt all his Enemies.

This *Jackcall* was an old *Obſerver* of all the *Doctors* Inſolencies, and had ever an *Antipathy* againſt the *Counter-Rat*; for which Cauſe, he went often to the Court with Venomous Complaints againſt the *Jackcall*; and ſince that took not Effect, went always Arm'd with a *Proteſtant Flail*, and a Paper of Poiſon, to do his Buſineſs at any Rate. But the Old *Obſervator* us'd no other Weapon then an old *Gooſe-Quill*, with which he did ſo Thraſh our *Oats*, Sift and Fan him about, that there was nothing at laſt but the very *Chaff* to be ſeen, which ('cauſe it might not be loſt for want of Houſe-Room,) was Gather'd and Sack'd up in the *Counter*, as you have heard.

The next Remove was over the Water, where he will Serve in a Double Capacity, *Oats* to Feed the Furious *Colt*, while he lies at Rack and Manger; the *Doctor*, as *Chaplain*, to *Hold Forth* to the *Brethren* in *Tribulation*, where (unleſs *Jack* give 'em the laſt Remove,) that they may long Continue, is the Hearty Wiſhes of

*Your Devoted*,

*Humble Servant*,

M. T.

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*LONDON*, Printed for *J. S.* 1684.

E 98

# Proceedings at the Kings-Bench-Bar

Upon the Execution of the Writ of Enquiry of Damages

At the SUIT of

## His ROYAL HIGHNESS the DUKE of YORK,

AGAINST

## TITUS (formerly stil'd Doctor) OATES.

THis day being the last day of *Trinity-Term*, was a Writ of Enquiry of Damages at the *Kings-Bench-Bar*, in an Action upon the Statute *de scandalis magnatum*, at the Suit of His Royal Highness the Duke of *York* against *Titus Oates*; who denying to plead, suffer'd Judgment upon him by *nil dicit*: And in regard of the Eminency of the Person who is Plaintiff, and of the Notoriousness of the Defendant, it was pray'd by His R. Highness's Council, *That for the more solemnity of the matter, and to satisfie all persons who may be curious to pique at the Proceedings at Law, that it should be try'd at the* Kings-Bench-Bar, *though it be a thing very unusual, being ordinarily done before the Sheriff in his County.* There appeared a very substantial Jury of Knights, Esquires, and Gentlemen, to the number of Fifteen, who without going from the Bar, (as well upon the words within the Record, as upon the Evidence of a great number of worthy and credible Witnesses, which strengthen'd it) gave Damages to His Royal Highness of 100000 *l.*

The Lord Chief-Justice most faithfully and learnedly summ'd up the Evidence, and descanted upon the evil consequences that attended such Insolence as presumed to reproach and calumniate the Peers of the Realm, more especially a person so near and dear to the King and Crown as His Royal Highness, whom the said *Oates* hath bespatter'd and traduc'd in all Companies he came into, since the beginning of his *Evidenceship* in 78. calling him *Traytor*, *Rascal*, and such-like horrid names, and charging Him with being in the *Plot*, with firing the City, and raising the Army at *Black-Heath*, in order to introduce Popery, and cut all the True Protestants Throats. He likewise was pleas'd to give him the Epithet of a *Son of a W---*; And after preaching in the City, being invited by some of his Auditory to a Glass of Wine, he asked them, *If any of them ever eat or drank with* York? (because His Royal Highness had done that Royal Favour to some of the Societies of the City to Honour them with His presence) but *Oates* told them, *If any of them did, he would not eat or drink with any that eat or drank with the Devil.* He left them, and went to a Braziers House, (his Face having a Sympathy with the Calling.) Another Gospel-expression of his at *Oxford* was, *That he hop'd if the Devil had had one place hotter than other in Hell, he would reserve it for the Duke of* Y---. Much more of the *No Doctor*'s stuff of this kind was sworn against him, and without difficulty believed by the Jury; which is a means to secure his present Lodgings, until he is removed by some extraordinary means, which probably may soon happen.

Sold at the Entrance into the *Old-Spring-Garden*, 1684.

E 98

# A TRUE NARRATIVE OF THE SENTENCE OF Titus Oats FOR PERJURY AT THE Kings-Bench-Barr AT VVESTMINSTER,

575. L. 2
100
K Oates (T.)

On *Saturday* the 16*th* Day of this preſent *May*, 1685.

*Titus Oats*, being the laſt *Friday* and *Saturday* found Guilty of two Indictments of *Perjury* and having on *Saturday* laſt moved ſome time to Aſſign Errors, it was given him till this preſent *Saturday*, the 16*th*. of *May*, 1685. and this day received Sentence according to his *High Demerits*; The manner of the Proceeding was as followeth.

My *Lord Chief Juſtice* and other of his Brethren being on the Bench, was called; the *Attorney General* craved Judgment of the Court againſt *Titus Oats* for his *Perjuries*; *Oats* craved time till *Monday*, but it was denyed him, for he was told he had had an extraordinary time already, and that he had had the occaſion this long time, to procure what Records he pleaſed; then *Oats* was asked what he had to ſay in Arreſt of Judgment? then he produced a Paper containing two or three trifling Objections, which firſt were anſwered by the Attorney-General, then more at large by my *Lord Chief Juſtice*; one of them was, That the Perjury aſſigned was not in any Material Point; it was told him by the Court that it was in the moſt material, *viz.* to prove him at St. *Omers* on the 24*th* of *April*, when he ſaid he was here at the Conſult of Treaſon at the *White Horſe* in the *Strand*, upon which Conſult the whole Pretended Plot was hinged: Then he objected in the Paper, that no Witneſs in Caſes of High-Treaſon ought to be Indicted of Perjury: He was told by my *Lord Chief Juſtice*, That that was excellent Doctrine, and an inducement to all Villany; for if a Man may be Indicted for forſwearing himſelf about a Cow or a Horſe, much more for the Death of a Man. Then he objected, that in the Indictment there was *Signat* for *Signans*; it was anſwered, that that was but trifling, and that the latter was more proper. His trifling Objections

jections being all answered, my *Lord Chief Justice* began a most excellent Speech, telling the dangerous Consequences of Perjury, and particularly of *Oats*'s, and told them how that first of all Perjury was punished by Death, afterwards by Cutting out of the Tongue, and that it was Arbitrary, and so by consequence might be punished as the Court thought fit, with any punishment not extending to Death, and that it was the unanimous Opinion of all the Judges of *England*, who had been consulted in that Case, and that what the Court of Star-Chamber could formerly do, the *Kings-Bench* could now do, the Power being only brought back and lodged in the *Kings-Bench*, where it was formerly, as is evident by the Act, destroying the Court of Star-Chamber, that his was a Crime of an extraordinary nature, and therefore ought to be punished in an extraordinary manner, to deter all others for the future from attempting the like Villanies, and that it was impossible to punish him enough, considering the horrid consequences of his Villanies and Perjuries. After he had ended his Speech, he left the Sentence to be pronounced by his Brethren on the Bench. Then Judg *Withens*, who after pronounced the Sentence, began a solid discourse of the ill tendency of his Perjuries, and the dreadfull effects of it, and that now their eyes were open, and his palpable Contradictions and Perjuries made as clear as the Sun; and that not onely by Papists, as *Oats* most triflingly objected, but by good Protestant Evidence. After he had done his Speech, then he proceeded to give Judgment, which was as follows.

He told him he had been found Guilty of Two Indictments, so must have Judgment given upon both; the first for his Perjury relating to the 24*th* of *April*, and the other for his Perjury relating to the 2*d*, 9*th* and 12*th* of *August*, and 1*st* and 2*d* of *September*.

First, He was upon the first Indictment to be Fined in a thousand Marks, then his Canonical Habit to be stripp'd over his Ears, and on *Monday* next to stand in the Pillory at *Westminster-Hall*, and to be lead about the Hall with a Paper shewing his excellent Faculties in Swearing.

Upon the second Indictment he was to stand at the *Exchange*, betwixt the hours of twelve and one, and to be Whipt from *Aldgate* to *Newgate*. Upon *Friday* next to stand in the Pillory at *Tyburn*, and that the Example may yet more terrifie, he is to perform the following Anniversaries in the following places: Every twenty fourth of *April* he is to stand an hour in the Pillory over against *Tyburn*, every 9*th* of *August* at *Westminster* in the *Palace-Yard*, the 10*th* of *August* at *Charing-Cross*, and at the *Temple* on the 11*th*. Judge *Withens*, after he had pronounced Sentence, said he never pronounced Criminal Sentence in his Life, but he had some Compassion, but that he was such a Villain and hardned Sinner, that he could find no sentiments of compassion for him.

It was observed, that all the time of *Oats* being in the Court, he looked much more pale than he was wont, and more dejected, having lost some of his wonted Confidence. After the Sentence was past, he said nothing that was intelligible; there being presently a great Noise in the Court, then the Court bid the Officers take him away, which they did in great haste; when he was got down into the Hall, he was welcomed with very loud Salutations proper for the occasion and so all the way to the Water at *Westminster*-stairs where they took Boat for him, to convey him back to the *Kings-Bench*, where we leave him till *Monday*, when he will mount a Stage fit for such an Actor to play his part on; where the *Whiggs* if they please, may go and see their Saviour in whom they so much trusted, against whom once while *Whigg* was Trump; it was much safer to speak Treason or Blasphemy, than to whisper the least suspition of his Veracity; the cry being then, baffling of Votes of Parliaments, ridiculing the Plot, aspersing the Justice; much good may do them with their Popish-Plot, and Inscriptions caused to be put about the Monument by a Lord Mayor, after him convicted of *Perjury*.

*London*, Printed by *E. Mallet*, at the Black-Horse-Alley near *Fleet-Bridge*.

K. Fitzroy afterwards Scott (J.) Duke of Monmouth &c

515. L. 2
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# AN ACCOUNT

Of what paſſed at the

# EXECUTION

Of the Late

# Duke of Monmouth,

On *Wedneſday* the 15*th.* of *July*, 1685. on *Tower-hill.*

TOGETHER,

With a Paper Signed by Himſelf that morning in the *Tower*, in the Preſence of the Lords Biſhops of *Ely*, and *Bath* and *Wells*, Dr. *Teniſon*, and Dr. *Hooper.*

AND ALSO,

The Copy of His Letter to His MAJESTY after he was taken, Dated at *Ringwood* in *Hantſhire*, the 8*th.* of *July.*

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THE *Late Duke of Monmouth* came from the Tower to the Scaffold, attended by the Biſhop of *Ely*, the Biſhop of *Bath* and *Wells*, Dr. *Teniſon* and Dr. *Hooper*, which four the King was graciouſly pleaſed to ſend him, as his Aſſiſtants to prepare him for Death; and the *late Duke* himſelf intreated all four of them, to accompany him to the Place of Execution, and to continue with him to the laſt. The two Biſhops going in the Lieutenant's Coach with him to the Barrs, made ſeaſonable and devout Applications to him all the way; and one of them deſired him not to be ſurprized, if they to the very laſt upon the Scaffold, renewed thoſe Exhortations to a *Particular Repentance*, which they had ſo often repeated before.

At his firſt coming upon the Scaffold, he looked for the Executioner, and ſeeing him, ſaid, *Is this the man to do the buſineſs? Do your work well.*

Then the *late Duke of Monmouth* began to ſpeak, ſome one or other of the Aſſiſtants, during the whole time, applying themſelves to him.

Monmouth. *I ſhall ſay but very little; I come to die; I die a Proteſtant of the Church of* England.

*Aſſiſtants.* My Lord, if you be of the Church of *England*, you muſt acknowledge the Doctrine of *Non-reſiſtance* to be True.

M. *If I acknowledge the Doctrine of the Church of* England *in general, that includes all.*

*A.* Sir, it is fit to own *that* Doctrine particularly, with reſpect to your Caſe. Here he was much urged about that Doctrine of *Non-reſiſtance*, but he repeated in effect his firſt Anſwer.

Then he began as if he was about to make a premeditated Speech, in this manner.

M. *I have had a Scandal raiſed upon me about a Woman, a Lady of Vertue and Honour. I will name her*; the Lady Henrietta Wentworth. *I declare, That ſhe is a very Vertuous and Godly Woman. I have committed no Sin with her*; *and that which hath paſſed betwixt Us, was very Honeſt and Innocent in the ſight of God.*

*A.* In your Opinion perhaps, Sir, as you have been often told; (*i. e.* in the *Tower*) but this is not fit Diſcourſe in this Place.

*Mr. Sher. Goſtlin.* Sir, were you ever married to her?

M. *This is not a Time to Anſwer that Queſtion.*

*Mr. Sher. Goſtlin.* Sir, I hoped to have heard of your Repentance for the Treaſon and Bloodſhed, which hath been committed.

M. *I die very Penitent.*

*A.* My Lord, It is fit to be *Particular*; and conſidering the *Publick* Evil you have done, you ought to do as much good now, as poſſibly you can, by a *Publick* acknowledgment.

M. *What I have thought fit to ſay of* Publick *affairs, is in a Paper which I have ſigned*; *I refer to my Paper.*

*A.* My Lord, there is nothing in that Paper about *Reſiſtance*, and you ought to be *Particular* in your Repentance, and to have it well grounded. God give you *True* Repentance.

M. *I die very Penitent, and die with great Chearfulneſs, for I know I ſhall go to God.*

*A.* My Lord, you muſt go to God in his own way: Sir, be ſure you be truly Penitent, and ask forgiveneſs of God, for the Many you have wronged.

M. *I am ſorry for every one I have wronged. I forgive every Body, I have had many Enemies, I forgive them all.*

*A.* Sir, your acknowledgment ought to be *Publick* and *Particular*.

M. *I am to die*; *pray, My Lord* ——— *I refer to my Paper.*

*A.* They are but a few Words that we deſire: We only deſire an Anſwer to this Point.

M. *I can bleſs God that he hath given me ſo much Grace, that for theſe two years laſt paſt, I have led a Life unlike to my former Courſe, and in which I have been happy.*

*A.* Sir, Was there no Ill in theſe two Years? In theſe years, theſe great Evils have happened, and the giving *publick* Satisfaction is a neceſſary part of Repentance; be pleaſed to own a Deteſtation of your REBELLION.

M. *I beg your Lordſhip that you will ſtick to my Paper.*

*A.* My Lord, as I ſaid before, there is nothing in your Paper, about the Doctrine of *Non-reſiſtance.*

M. *I repent of all things that a true Chriſtian ought to repent of. I am to die*; *pray, My Lord* ———

*A.* Then (My Lord) we can only recommend you to the Mercy of God, but we cannot pray with that Chearfulneſs, and Encouragement as we ſhould, if you had made a *Particular* Acknowledgment.

M. *God be praiſed, I have Encouragement enough in my ſelf*; *I die with a clear Conſcience*; *I have wronged no man.*

*A.* How Sir, no man? Have you not been guilty of *Invaſion*, and of much *Blood*, which has been ſhed, and it may be of the loſs of *many Souls* who followed you? You muſt needs have wronged a great many.

M. *I do, Sir, own that, and am ſorry for it.*

*A.* Give it the *true* name, Sir, and call it *Rebellion.*

M. *What name you pleaſe, Sir, I am ſorry for* invading *the Kingdom, and for the* Blood *that has been ſhed, and for the* Souls *which may have been loſt by my means, I am ſorry it ever happened* [*which he ſpake ſoftly.*]

*Mr. Sher. Vandeput.* [To ſome that ſtood at a diſtance.] he ſays he is very ſorry for *Invading the Kingdom.*

*A.* We have nothing to add, but to renew the frequent Exhortations we have made to you, to give ſome Satisfaction for the *publick* Injuries to the Kingdom. There have been a great many lives loſt by this *Reſiſtance* of your LAWFUL PRINCE.

M. *What I have done has been very ill, and I wiſh with all my heart it had never been*; *I never was a man that delighted in Blood*; *I was very far from it*; *I was as cautious in that as any man was*; *the Almighty knows how I now die, with all the Joyfulneſs in the World.*

*A.* God grant you may, Sir, God give you *True Repentance.*

M. *If I had not* True *Repentance, I ſhould not ſo eaſily have been without the fear of dying. I ſhall die like a Lamb.*

*A.* Much may come from natural Courage.

M. *I*

M. *I do not attribute it to my own nature, for I am fearful, as other Men are; but I have now no fear, as you may ſee by my Face, but there is ſomething within me which does it, for I am ſure I ſhall go to God.*

*A.* My Lord, be ſure upon good Grounds; Do you repent you of all your Sins, *known* or *unknown*, *confeſſed* or *not confeſs'd*, of all the Sins which might proceed from *Error in Judgment?*

M. *In general for all. I do with all my Soul.*

*A.* God Almighty of his infinite Mercy forgive you. Here are great numbers of Spectators, here are the *Sheriffs*, they repreſent the *Great City*, and in ſpeaking to them you ſpeak to the whole City; make ſome ſatisfaction by owning your *Crime* before them.

*He was ſilent here.*

Then all went to ſolemn Commendatory Prayers, which continued for a good ſpace; the late Duke of *Monmouth* and the Company kneeling, and joyning in them with great fervency.

Prayers being ended, before he and the four who aſſiſted him, were riſen from their Knees, he was again earneſtly exhorted to a *true* and *thorough* Repentance.

After they were riſen up, he was exhorted to pray for the King; and was asked, Whether he did not deſire to ſend ſome dutiful Meſſage to *His Majeſty*, and to recommend *his Wife and Children* to his Majeſty's Favour.

M. *What harm have they done? do it if you pleaſe; I pray for him, and for all men.*

*A.* Then the Verſicles were repeated.

*O Lord ſhew thy Mercy upon us.*

M. [He made the Reſponſe.] *And grant us thy Salvation.*

*A.* [It followed] *O Lord ſave the King.*

M. *And mercifully hear us when we call upon thee.*

*A.* Sir do you not pray for *the King* with us? [The Verſicle was again repeated.] *O Lord ſave the King.*

M. [After ſome pauſe he anſwered] *Amen.*

Then he ſpake to the Executioner concerning his *undreſſing*, *&c.* and he would have no *Cap*, *&c.* and at the beginning of his *undreſſing* it was ſaid to him on this manner;

*A.* My Lord, you have been bred a *Souldier*, you would do a generous Chriſtian thing, if you pleaſe to go to the Rail, and ſpeak to the *Souldiers*, and ſay, That here you ſtand a ſad example of *Rebellion*, and entreat *them* and *the People* to be *Loyal*, and *obedient to the King.*

M. *I have ſaid I will make no Speeches; I will make no Speeches; I come to die.*

*A.* My Lord, ten words would be enough.

Then calling his Servant, and giving him ſomething like a Tooth-pick-Caſe; *here* (ſaid he) *give this to the Perſon, to whom you are to deliver the other things.*

M. (To the Executioner.) *Here are ſix Guinneys for you; Pray do your Buſineſs well; don't ſerve me as you did my Lord* Ruſſel; *I have heard you ſtruck him three or four times.*

*Here* (to his Servant) *take theſe remaining Guinneys and give them to him, if he does his Work well.*

*Exec.* I hope I ſhall.

M. *If you ſtrike me twice I cannot promiſe you not to ſtir.*

During his *undreſſing* and *ſtanding* towards the *Block* there were uſed by thoſe who aſſiſted him, divers Ejaculations proper at that time, and much of the 51*ſt* *Pſalm* was repeated, and particularly, *Deliver me from Blood-Guiltineſs, O God, Thou God*, &c.

Then he lay down, and ſoon after he raiſed himſelf upon his Elbow, and ſaid to the Executioner, *Prethee let me feel the Ax*; he felt the *Edge*, and ſaid, *I fear it is not ſharp enough.*

*Executioner.* It is ſharp enough, and heavy enough.

Then he laid down again.

During this ſpace many pious Ejaculations were uſed by thoſe that aſſiſted him with great fervency. Ex. Gr. *God accept your repentance, God accept your Repentance, God accept your IMPERFECT Repentance*; My Lord, *God accept your GENERAL Repentance*; *God Almighty ſhew his OMNIPOTENT Mercy upon you*; *Father into thy Hands we commend his Spirit*, &c. *Lord Jeſus, receive his Soul.*

Then

Then the Executioner proceeded to do his Office.

This is a true account, Witneſs our Hands,

*Francis Ely.* *Thomas Teniſon.* { *William Goſtlin,* / *Peter Vandeput.* } Sheriffs.

*Thomas Bath* and *Wells* *George Hooper.*

*A Copy of the Paper, to which the late Duke of* Monmouth *referred himſelf in the Diſcourſes he held upon the Scaffold*

I Declare, That the Title of King was forc't upon me, and, That it was very much contrary to my Opinion, when I was Proclaimed. For the ſatisfaction of the World, I do declare, That the late King told me, He was never Married to my Mother. Having declared this, I hope that the King, who is now, will not let my Children ſuffer on this account. And to this I put my Hand this fifteenth day of *July*, 1685.

*MONMOUTH.*

Declared by himſelf, and Signed in the Preſence of Us,

*Francis Ely.* *Thomas Teniſon.*
*Thomas Bath* and *Wells.* *George Hooper.*

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*A Copy of the Duke of* Monmouth's *Letter to the King, Dated from* Ringwood *the* 8th *of* July, 1685.

*SIR,*

YOur Majeſty may think, it is the Misfortune I now lie under, makes me make this Application to you; but I do aſſure your Majeſty, it is the Remorſe I now have in me, of the Wrong I have done you in ſeveral things, and now, in taking up Arms againſt you. For my taking up Arms, it never was in my Thoughts ſince the King died. The Prince and Princeſs of *Orange* will be Witneſs for me, of the Aſſurance I gave them, That I would never ſtir againſt you; but my Misfortune was ſuch, as to meet with ſome Horrid People, that made me believe things of your Majeſty, and gave me ſo many falſe Arguments, that I was fully led away, to believe, That it was a Shame and a Sin before God not to do it. But, Sir, I will not trouble your Majeſty at preſent with many things, I could ſay for my ſelf, that I am ſure would move your Compaſſion; the chief end of this Letter, being only to beg of you, That I may have that Happineſs, as to ſpeak to your Majeſty: For I have that to ſay to you, Sir, that I hope may give you a long and happy Reign. I am ſure, Sir, when you hear me, you will be convinced of the Zeal I have for your Preſervation, and how heartily I repent of what I have done. I can ſay no more to your Majeſty now, being this Letter muſt be ſeen by thoſe that keep me. Therefore, Sir, I ſhall make an end, in begging of your Majeſty to believe ſo well of me, That I would rather die a thouſand Deaths, than excuſe any thing I have done, if I did not really think my ſelf the moſt in the wrong, that ever any Man was, and had not from the bottom of my Heart an abhorrence for thoſe that put me upon it, and for the Action it ſelf. I hope, Sir, God Almighty will ſtrike your Heart with Mercy and Compaſſion for me, as he has done mine with the abhorrence of what I have done. Therefore I hope, Sir, I may live to ſhow you how Zealous I ſhall ever be for your Service; and could I ſay but one Word in this Letter, you would be convinced of it; but it is of that conſequence, That I dare not do it. Therefore, Sir, I do beg of you once more, to let me ſpeak to you, for then you will be convinced how much I ſhall ever be Your Majeſties moſt Humble and Dutiful.

*MONMOUTH.*

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*London*, Printed for *Robert Horne*, *John Baker*, and *Benjamin Tooke*, 1685.

515.L.2.
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AN

# ACCOUNT

OF THE

Manner of Taking the Late DUKE

OF

R. Fitzroy afterwards Scott (J.) Duke of Monmouth

# MONMOUTH, &c.

## By His Majesties Command.

IMmediately after the Defeat of the Rebels at *Bridgewater*; on *Monday* the sixth of *July* instant; the late Duke of *Monmouth*, late Lord *Grey*, , and the *Brandenburgh* fled; and coming between *Gillingham* and *Shaftsbury*, got a Guide to lead them the way to the New Forest, most free from Towns and Watches; he led them by *White-Sheet* four Miles East of *Shaftsbury*, and thence by *Cranborne* Chase; where their Horses being tir'd, they let them loose, and hid their Bridles and Sadles.

In the mean time, the news of the said Defeat coming to the Lord *Lumley*, then posted at *Ringwood* in *Hampshire*, with three Troops of Horse of Collonel *Staplyes* Regiment, commanded by Major *Bridger*, Captain *Monk* and Captain *Peckham*; and four Companies of Foot of Collonel *Alfords* Regiment, Commanded by Lieutenant Collonel

*Cooper*, Captain *Bickely*, Captain *Beſt*, and Captain *Carre*; all of the *Suſſex* Militia: His Lordſhip was pleas'd to ſend his Scouts every way to take up ſuſpected Perſons; and Sir *William Portman*, for the ſame end, had taken care for ſtrong Watches to be ſet, made up of his yellow Coats and others, on the Roads from *Pool* to the moſt Northern parts of *Dorſet*.

Upon the ſeventh Inſtant, about five in the Morning, ſome of the Lord *Lumley's* ſaid Scoutes (riding in the Road near *Holt Lodge* in *Dorſet*, four Miles Weſt of *Ringwood*) juſt at the turn of a Croſs way, ſurpriz'd and ſeiz'd two ſuſpected Perſons; which (when the Lord *Lumley* came up) prov'd to be the late Lord *Grey*, and the ſaid Guide: This put the Lord *Lumley* upon a ſtrict examining of the Cottages (with which that Heathy Country abounds) and call'd in the Neighbourhood that were acquainted with the Country, *&c.* Notice of this being brought to Sir *William Portman*, by ſome of his Watches, *&c.* He haſten'd to the Place with as many Horſe and foot as he could of a ſudden get together.

It happen'd upon the Lord *Lumley's* inquiry amongſt the Cottages, that a Poor Woman, one *Amy Farrant* directed his Lordſhip to a Hedge, where ſhe had ſeen two men go over; which hedge prov'd to be part of the Out bounds of very many encloſed grounds; ſome overgrown by Fearn and Brakes, and others ſown with Rye, Peaſe, or Oats, *&c.*

Whereupon a ſtrict Guard was put very near one another, round thoſe Out-bounds; whilſt other Foot and Horſe did beat within: Theſe Guards kept their ſeveral Poſts ſo well, that tho the late Duke, and the *Brandenburgh* attempted at leaſt thirty times, to make their Eſcape out, yet they alwaies found each Guard ready; and upon their laſt attempt to eſcape, two of the Troopers fireing on them, made them immediately to Retire and hide themſelves apart from each other, in ſome of the adjacent Ditches, where they were afterwards found.

Upon

Upon the eighth day by five of the Clock in the morning, the *Brandenburgh* was found; who upon Examination, confeſs'd, that he parted with the ſaid late Duke within the ſame Out-bounds, about one of the Clock that morning: Whereupon every individual Perſon being encourag'd thereby, and by the hopes of having a ſhare in the 5000. *l.* (as was before agreed of in the Field) did renew the purſuit of him with the ſtricteſt ſearch and diligence imaginable; and about ſeven of the clock of the ſame morning, one *Henry Parkin* (ſervant to *Samuel Rolles*, Eſq;) happened to diſcover the ſaid late Duke hid in a Ditch covered with Fearn and Brakes, and calling to two of the *Suſſex* Troopers that were by him, All three ſeiz'd him together: Sir *William Portman* happening to be near that place, rid preſently in and quieted thoſe that cried Shoot him, Shoot Him! He laid hands on him as his Priſoner; and ſo preſerv'd him from all violence and Rudeneſs: And immediately in the ſame inſtant, the Lord *Lumley* came in, and agreed that Sir *William Portman* ſhould ſearch him; which was done, and as ſoon as they had found his *George*, they diſpatched that, with the News to his Majeſty by Captain *Bickely*, and Mr. *Chaldecot*, a *Suſſex* and *Dorſet* Gentleman.

The Priſoners after this were kept two nights at *Ringwood*. On *Friday* the Lord *Lumley* diſcharged the Foot there; and with the ſaid three Troops of the *Suſſex* Horſe, and one Troop of the *Dorſet* Militia, commanded by Captain *Fownes*, they were conveyed to *Winchester*, where joyn'd them two Troops of his Majeſties in pay, and two of the *Northampton* Militia Troops, all which conducted them to *Farnham* Caſtle upon *Saturday* the 11*th*. and the next day to *Guilford*, and upon *Monday* the 13*th*. to *Fox Hall*, where a Regiment of the Lord *Dartmouths* received them, with other Troops of his Majeſties in Pay, and thence by Barge they were carried to *Whitehall*.

The Papers and Books that were found on him are ſince deliver'd to his Majeſty.

One of the Books was a Manuſcript of Spells, Charms, and

and Conjurations, Songs, Receits, and Prayers, all written with the ſaid late Duke's own hand.

Two others were Manuſcripts of Fortification and the Military Art.

And a fourth Book fairly written, wherein are Computes of the yearly Expence of His Majeſties Navy and Land Forces.

And as for his Gold; only twenty Guinies were given to the ſaid *Parkin*; and ten Guinies a piece to the two Troopers, that firſt ſeiz'd him; and the reſt was return'd to the ſaid late Duke.

As the Priſoners paſſed through *Rumſey*, *Wincheſter*, *Farnham*, and *Guilford*, one would admire to ſee the very great numbers of the Militia, with the Deputy Lieutenants, and Gentlemen of thoſe parts, that were ready to guard them, and take off the Fatigue of ſuch as were on the march.

Within doors none but Commiſſion Officers were truſted to watch by them; and beſides thoſe, the Lord *Lumley* and Sir *William Portman* took their turns to watch in Perſon, night and day, from the time of the taking of the ſaid late Duke, until they had delivered him ſafe at *Whitehal*, from whence he was conveyed to the *Tower*.

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FINIS.

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*LONDON*,

Printed by *B. G.* for *Samuel Keble*, at the *Turks-Head* over againſt *Fetter-Lane* in *Fleet-ſtreet*. 1685.

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# COPY

Of the Late

515. L. 2.
103.

# Duke of Monmouth's LETTER

To the Duke of *ALBEMARLE.*

*To Our Truſty and well Beloved Couſin and Councellour,* Chriſtopher *Duke of* ALBEMARLE.

*My Lord,*

WHereas We are Credibly Informed that there are ſome Horſe and Foot with Arms under your Graces Command for *James* Duke of *York*, which are purpoſely Raiſed in Oppoſition to Us and Our Royal Authority, We thought fit to ſignifie to you Our Reſentment thereof, and do promiſe Our Selves that what you have Tranſacted therein, is through Inadvertency and Miſtake, and that your Grace will take other Meaſures when you have received Information of Our being Proclaimed *King*, to ſucceed Our Royal Father, lately Deceaſed: We have therefore ſent this Meſſenger on purpoſe to intimate the ſame unto you, and it's Our Royal Will and Pleaſure, and We do hereby Strictly Charge and Command you upon Notice and Receipt hereof, to ceaſe all Hoſtility and force of Arms againſt Us, and Our Loving Subjects, and that your Grace will immediately repair to Our *Camp*, where you ſhall not fail of a very kind and hearty

hearty Acceptance by Us, or in default of the Premiſes, We ſhall be oblieged to proclaim you, and all thoſe in Arms under your Command, Rebells and Traytors, and ſhall proceed againſt you and them accordingly, yet We aſſure Our Selves your Grace will pay ready Obedience to Our Command, wherefore We bid you Heartily Farewell.

*James R.*

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THE

# Duke of Albemarle's ANSWER.

To *James Scot*, late Duke of *MONMOUTH.*

I *Received Yours, and do not doubt but you would uſe me very Kindly, if you had me, and ſince you have given your ſelf the Trouble of an Invitation, this is to let you know I never was, nor ever will be a Rebell to my Lawful* King, *who is* James *the Second, Brother to my late dear Maſter* Charles *the Second: If you think I am in the Wrong, and your ſelf in the Right, when ever we meet I do not doubt but the Juſtice of my Cauſe ſhall ſo ſufficiently Convince you, that you had better have left this* Rebellion *alone, then to have put the Nation to ſo much Trouble.*

Albemarle.

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This may be Printed *Auguſt* the 4*th.* 1685. *R. L. S.*

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*London*, Printed by *George Croom*, at the *Blue-Ball* in *Thames-ſtreet*, over againſt *Baynard's-Caſtle*, 1685.

London Middlesex Sessions. 22.

# THE PROCEEDINGS ON THE King's Commissions

515. l. 2. 104

## Of the PEACE,

## And *Oyer* and *Terminer*, and *Gaol-delivery* of *Newgate*, Held for the City of *London*, and County of *Middlesex*, at *JUSTICE-HALL*, in the *OLD-BAYLY*, The 16*th*, 17*th*, and 18*th*. of *July*, 1685. *And in the* First Year *of His Majesties Reign.*

THE Quarter-Sessions of the Peace, *Oyer* and *Terminer*, and Gaol-Delivery of *Newgate*, being held at *Justice-Hall* in the *Old-Bayly*, on *Thursday*, *Friday*, and *Saturday*, being the 16, 17, and 18 days of *July*, 1685. Before the Right Honourable Sir *James Smith* Kt. Lord Mayor of the City of *London*, Sir *Thomas Jenner* Kt. one of His Majesties Serjeants at Law, and Recorder of the said City: Together with others of His Majesties Justices of the City of *London*, and County of *Middlesex*. The Jurors were, as follow:

| London Jury. | Middlesex Jury. |
|---|---|
| *Thomas Anger* | *Thomas Whitfeild* |
| *Philip Perry* | *John Smallbone* |
| *Philip Stockes* | *John Singleton* |
| *Luke Poe* | *Thomas Pattle* |
| *John Warfeild* | *Ralph Hutchingson* |
| *Christopher Johnson* | *Robert Brock* |
| *Stephen Coleman* | *Thomas Harris* |
| *Henry Cremer* | *Edward Hempstead* |
| *Stephen Gibons* | *Samuel Lin* |
| *Simon Chapman* | *Francis Edmons* |
| *Joseph Speed* | *John Bayly* |
| *Richard Shaw.* | *Zacariah Grant.* |

*The Tryals of the Prisoners were as follow:*

*Peter Lary*, in the Parish of *St. Dunstans*, Indicted for stealing two silver Tankards, value 12 *l.* on *June* 2. from *Thomas Fido*. The Evidence against the Prisoner was, That he coming into *Fido*'s House, took the two Tankards, and running out, the Boy of the House saw him, upon which crying out, *Stop Thief*, the said *Lary* was presently seized: The proof being clear, he was found Guilty.

*Alice Wilson*, of the Parish of *Hackney*, Indicted for stealing one pewter Dish, value 1 *s.* on *June* 6. from *Joseph Rand*. The Prisoner confessing the Fact, was found guilty to the value of 10 *d.*

*Edward Hickman*, and *Thomas Cross*, of the Parish of *Finchley*, Indicted for stealing one Game Cock, value 20 *s.* and one Game Hen, value 2 *s.* 6 *d.* on *June* 24. from—— *Stanton* Esq; 3 Hens, and one Cock, from *Edward Tewer on*, value 3 *s.* The whole being proved upon them, they were found guilty of both Indictments; *Hickman* to the value of 10 *d.* in each, and *Cross* to the value of 9 *d.* in each.

*Thomas Dixon*, Indicted for uttering scandalous words against the Government: The Prosecution seeming to be malicious, and the Prisoner producing Evidence in his behalf, who spoke very well of his Conversation, that he was Loyal, and a good Churchman, the Jury brought him in Not Guilty.

*Eleanor Brin*, Indicted for feloniously breaking open the House of *Timothy Roberts*, July 10. and stealing from thence one silk Gown, value twenty shillings; three holland sheets, value fifteen shillings; two silk hoods, value six shillings, with other goods. The Evidence thus: *Roberts*'s Wife going into the Prisoner's shop, she there found her Gown in her custody. The Prisoner in her defence, said, she bought the Gown of a man who brought it to her, which she prov'd by another person: whereupon the Jury brought her in Not Guilty.

*Jo Machenny*, of the Parish of Saint *Michaels Cornhil*, Indicted for stirring up Sedition in the Kingdom, in publishing a scandalous Libel, *February* 20. intituled, *A seasonable warning to the poor persecuted Church of* Scotland, *&c.* which Book, tending to very much Sedition, was published, in order to disturb the Peace of *England*. It was proved that this *Machenny* was a man that for some time had made it his business to fetch and disperse scandalous and seditious Books, which he brought from *Holland*: The Books being taken upon him, and the matter of Fact appearing very plain upon him, he was thereupon (not being able to make any considerable defence) brought in Guilty.

*Jo. Spencer*, Indicted, as Accessary, with one *Grant*, for stealing, *April* 27. 102 yards of Fustian, value 3 *l.* from Mr. *Fitz-Zachery*. It appeared on the Tryal, that the Prisoner was seen with part of the Goods that were lost. *Spencer*, to evade that, called some Witnesses, who only attested his honesty, but nothing as to the Crime laid to his charge, whereupon he was found Guilty, as Accessary.

*William Sims*, of the Parish of Saint *Michaels*, Indicted for stealing 70 yards of black *Spanish* Cloth, value 39 *l.* and 200 yards more of Cloth, value 90 *l.* from Mr. *Loveday*. Upon the Tryal it was proved, That part of the Cloth was found in *Sims* his Lodgings, and that he had a Coat made of the same. The Prisoner appearing to be an old Offender, and Burnt in the Hand, having no Evidence in his Defence, was thereupon brought in Guilty by the Jury.

*Robert*

*Robert Frances* Gent Indicted for assaulting *Tho. Dangerfield* in the Parish of *St. Andrews Holbourn*, with a Bamboo Cane, to the value of 6 *d.* striking it into his Left Eye, of which wound the said *Thomas Dangerfield* is since dead. The Witnesses against the Prisoner were many, and most of them very positive, deposing, That they saw the said *Robert Frances* coming to the side of the Coach in which Mr *Dangerfield* was in, and that there he thrust his said Cane into his Eye, after which running into *St. Thomas* Inn in *Holbourn*, he was presently seized, and sent to *Newgate*, where when he went in, one of the Retinue of the Prison telling him that *Dangerfield* would dye; he the said *Frances* replied, *That if he should die, it would save the HANGMAN a labour.* Mr. *Dangerfield*, after he was carry'd to the Gaol, cry'd out very much of the anguish of his Eye, saying, *Oh my Eye! Oh my Head! forbear to make a Noise.* The Physitian being brought to give his advice, whether it was requisite to bleed him, he found him desperately ill, and vomiting extremely. The Chyrurgion likewise being sent for, probing the Wound, found it to be mortal; and he, with others did verily believe that it occasioned his Death. Mr *Frances*, in his own Defence, alledged, That coming to the Coach, he asked *Dangerfield*, *If he had not been heated?* Upon which, Mr. *Dangerfield* calling him *Son of a Whore*, he, in his passion, gave him a slight Blow with his Cane, which he verily believed could not kill him; that he did it not out of any malice. He call'd some few Witnesses, which spoke very little to the purpose, whereupon he was found Guilty.

*Charles Deering* Esq; in the Parish of *St. Martins in the Fields*, Indicted, That on the first of *June* he did assault and murder *Henry Goring* Esq; with a Rapier, giving him a mortal wound on the left side of his Neck therewith, of which wound the said Mr. *Goring* in a little time dyed. Upon the Tryal it appeared, That Mr. *Deering* being behind the Scenes one Mrs. *Bury*, one of the Actresses, coming to disrobe her self, where the said Mr. *Deering* was, she desired him to go down, for it would not become him to be present whilst she put off her Cloaths. He told her he would stay there, upon which she the said Mrs. *Bury* went out, and Mr. *Goring* coming up, seeing Mr. *Deering*, cryes, *Who's here?* Mr. *Deering*, and desires him to go down; which Mr. *Deering* refusing, he told him, *If he would not by fair means, he should by foul*; and putting too the Door, and locking it, drew upon Mr. *Deering*, who, defending himself, received divers Wounds, and, at last, people running up, found both Swords drawn; and parting them, laying hold of Mr. *Deering*, Mr. *Goring* presently fell down, and dyed. There were very many Witnesses, and most to this effect, which Mr. *Deering* himself did no ways deny. He brought divers who inform'd the Bench how Mr. *Goring* and himself had lived in great friendship together, making it apparent, he had not the least prejudice or malice against the said *Goring*; and likewise produced many persons of good Quality, who gave a very satisfactory account of his Life and Conversation, that he was not in the least apt to be quarrelsom, but, on the contrary, very obliging on all occasions whatever. He was found Guilty of Manslaughter.

*Elizabeth Davis*, in the Parish of *St. Giles in the Fields*, Indicted, for stealing 40 *s.* from *Mary Stokes* Spinster, on *May* 24. The said *Mary Stokes* urg'd, that *Elizabeth Davis* going into her Shop, whilst her Husband held her at the Door, stole 40 *s.* out of a Sugar-Box standing in the Chimney in the said Shop; whereupon addressing her self to the Constable, he came presently to the said House, and demanding why they served her so? the said *Elizabeth Davis* reply'd, The other was indebted to her for Rent; when upon Examination thereof, it appear'd there was none due. The Prisoner produced divers Witnesses, who asserted that the said *Mary Stokes* told many of her Neighbours, that she design'd to go away, and pay her Landlady no Rent; and likewise others, who attested that she had not monies in her House som two days before to buy Provisions. The Jury thereupon found her Not Guilty.

*Nicholas Pierce*, of the Parish of *St. Davids Westminster*, Indicted for stealing a Quart pot, on *May* 13. value 2 *s*, from *Peter Hope*. It was made appear, that the said *Pierce*, coming into the House of *Peter Hope*, under pretence of having a quarter of Barley, runs away with a Quart pot which being presently missed, laying hold on the Prisoner he confessed it, and gave back the Pot. He was found guilty to the value of 10 *d.*

*John Smith*, of the Parish of *Stepney*, Indicted for stealing from *Edward Jones*, on *July* 25. between 12 and 1 at night, 5 Pewter Dishes, value 12 *s.* 12 Plates, value 4 *s.* The Evidence against the Prisoner was thus: That *Smith* breaking into the house of the said *Jones*, he was apprehended in the Cellar. The Criminal, in defence of himself, pretended to be in Drink, and the Door being open he went in: But the Jury not crediting him, found him guilty of Burglary.

*William Blower*, in the Parish of *Allhallows, London*, Indicted for High-Treason, in Clipping and diminishing the Lawful Coin of this Kingdom, *viz.* 20 pieces of Silver called King *Edward* the 6*th* Money, 2 *s.* 6 *d. per* Piece, and divers other Pieces, most Half Crowns, with Sheers and other Instruments thereunto belonging; there appeared but one Evidence against him, but he was very Positive, deposing, how that going to the said *Bowers* House, to Enquire for some Person, and looking into a Chamber, saw the Money in Half Crowns, and divers Clip'd pieces, with Boxes, Sheers, and other things thereunto belonging, which were produced in the Court: The Prisoner could make but very cold Excuses for himself, pretending he knew nothing of the matter, and that the Room where they were found, he had let to one Mr. *Johnson*, who had been his Lodger about the space of a Month; but being ask'd where the said *Johnson* was, he said he had not seen him since, nor knew not where he was; he produced two or three Ignorant Women, who endeavoured to do him Service, but all to no purpose, for my Lord Chief Baron laid the Fact so apparent to the Jury, that they found him guilty of High Treason.

*Francis Jorden*, of the Parish of *Allhallows Dowgate*, was Indicted for Stealing, *August* 20. ten Ounces of Dy'd Silk, from one *Lawton* a Silk Dyer in the said Parish. The Witnesses were very sharp upon him, one saying, he saw him take the said ten Ounces of Silk; and another, that the said Prisoner did often bring Silk to him to Sell, and other times to Weave, which he believed he Stole from his Master, by reason they every Day Missed Silk: The Prisoner likwise produced Evidence for his Honesty in his Livelyhood, and that he Bought the Silk that was laid to his Charge; the Jury thereupon brought him in Not Guilty.

*Sarah Walker*, was Indicted, for feloniously stealing from Mr. *Henry Hull*, in the Parish of Saint *Martins*, *June* the 15*th*. in *Bell-Court*, six pair of Sleeves, value 6 *s.* five Scarves, value 12 *s.* and divers other pieces of Linen, in all amounting to the value of 5 *l.* 8 *s.* The Evidence was not very Positive against her, only one said she Confessed the Goods to Sir *William Turner*. The Jury brought her in Guilty to the value of 10 *d.*

*William Vanderhurst*, in the Parish of St. *Maries*, Indicted for stealing a Brown Gelding *June* 26*th*. value 5 *l.* from *John Harris*. On the Tryal it appeared *Vanderhurst* was seen upon the Horse, and being Pursued, alighting from his Horse, he ran away on Foot; but the Horsekeeper following him Close he was Taken, and being carried before a Justice of Peace in hopes of Releasment, confessed to the Justice that he had the Horse, and did design to make use of him in the Kings Service, for he wanted an Horse. He could make little or no Defence for himself, and was found Guilty.

*Francis Barnes*, of the Parish of St. *Pauls Shadwell*, Indicted for Assaulting *George Vickers* on *June* 12*th* with an Handspike, value 6 *d.* giving him a Mortal Wound, on which he Died. The Evidence for the King was very positive, saying, that *Barnes* upon some petty Quarrel, beat the said *Vickers* down with a Club, on which Blow the said *Barnes* presently Died; and that *Barnes* after the Death of *Vickers*, being asked if he was sorry, replied No. The Prisoner in his Defence brought in som Evidence, who said that *Vickers* was Quarrelsome, which was begun in taking

a Bisket from *Barnes's* Partner by Boy. The Jury him guilty of Manſlaughter.

*George Attwell* of the Pariſh of *Hanwell*, Indicted for ſouſly Stealing a brown Gelding, value 3 *l.* from *Rich- Alden*, on *May* 30*th*. It appeared upon the Trial, *Attwell* brought the Horſe to *Branford*, to the Sign *Magpye*, where the ſaid Horſe was found. The ſaid he had the Horſe at the *Red-Lyon* in *Holbourn* was there hired for one Shilling ſix pence to get the ſome Graſs in the Countrey, and thereupon he had to *Branford*: But giving very little account of him- he was found Guilty.

*Samuel Anderton* in the Pariſh of *Stepney* being a Sol- er in the King's Service, was Indicted for deſerting his Majeſties Service, *July* 1. after he had recieved Pay from his Captain, His Captain atteſting that he had Liſted the ſaid *Anderton*, gave him one Shilling, and his Serjeant thereupon Muſtered him, and ordered him Quarters; and the next Morning the ſaid *Anderton* recieved Pay of his Captain, but after that was not ſeen by his Officer for ſeven Days, at which time the ſaid Serjeant accidentally met the Priſoner and ſeized him. The Priſoner made very little Defence, only ſaid his Captain gave him no Pay af- ter he was Liſted but one Day: The Jury found him Guilty.

*John Williams* and *John Sparrow*, in the Pariſh of *Kenſington*, Indicted for Aſſaulting *James Coomes*, *May* 6*th*. with a Piſtoll Charged with Bullet, value 2 *s.* Shoot- ing him upon the Breaſt; on the ſixteenth of the ſame Month he Died. The Evidence for the King atteſted, that upon Complaint made by Mr. *Coomes*, they Apprehended the Priſoners on the Road upon ſuſpicion, carrying them before Mr. *Coomes*, who ſaid he could not charge them with the Aſſault, but deſired they might be Ex- amined by a Juſtice of Peace: They were Taken without Piſtoll or the leaſt ſcent of Powder. The Evidence in general being on ſuppoſition, the Jury brought them in not Guilty.

*Thomas Battersby*, of the Pariſh of *St. Martins in the Fields*, aſſaulted *John Howell* on *June* 24. robbing him of 24 *s.* in money. The Evidence atteſted, that *John Howell* ſaid he was Rob'd, and that was all: Whereupon the Jury brought in the Priſoner Not Guilty.

*Thomas Hawly*, of the Pariſh of *St. Giles Cripplegate*, Indicted, for ſtealing *April* 5. a Razor from *Thomas Law- rence*, value 2 *s.* Upon Examination appearing it was lent him, the Jury brought him in Not Guilty.

*Robert Taylor*, of the Pariſh of *St. Martins in the Fields* Indicted, for ſtealing from *Daniel Feuver*, on *May* 6. one Pewter Tankard, value 3 *s.* one Skillet, value 1 *s.* with di- vers other things. The Priſoner was found ſelling the Pew- ter, upon which apprehending him, he confeſſed he had the ſaid Pewter; his Defence only was, that the Owner had them again. The Priſoner was brought in Guilty to the value of 10 *d.*

*William Scot*, of *St. Martins in the Fields*, Indicted for ſtealing on *June* 6. 29 yards of Point lace, value 18 *l.* from *Mary Dare* Widow. The matter of Fact appear'd on his Tryal thus: That *Scot* coming in where a Maid was ſelling Point, of a ſudden the Point was gone: whereupon ſuſ- pecting *Scot*, he was apprehended, and confeſſed the Fact. Upon which the Priſoner was found Guilty.

*Thomas VVeal*, and *Nathaniel Page* Acceſſary, Indicted for breaking up the houſe of *Robert Lampany*, about four in the afternoon, on *June* 13. and ſtealing a gold Ring, value 10 *s.* 4 pieces of Gold, commonly called Guinea's, with 18 *l.* of money in ſilver, a Canvas Bag, value 2 *d.* The Evi- dence for the King made it appear, That the Priſoners being apprehended, and examined, the aforeſaid *VVeal* confeſſed he took the money, and that *Nathaniel Page* his Fellow- Prentice was ſharer with him; and *Page* likewiſe confeſſing he had 24 *l.* 6 *s.* of the aforeſaid money, whereby he made himſelf an Acceſſary to the Fact, they were both found guilty.

*Francis Martin*, of *St. Martins in the Fields*, Indicted for ſtealing a ſilver Tankard, *May* 30. from Mr. *VVig*, val. 5 *l.* alſo a ſilver Cup, value 15 *s.* The Evidence thus: That being employ'd to ſolliſit with Mr. *Martin* about the Plate, he told them that Mr *VVig* ſhould have the Tankard by Sun- day; and that if they would fetch a Warrant, he would di- rect them where the Plate was: A Servant of Mr. *VVigs* affirm'd, that the Tankard was gone, and no Body had been there but *Martin*. Upon which the Priſoner was found guilty.

*Jo. Henly*, of *Hackney* Pariſh, Indicted for ſtealing a black coloured Mare, value 4 *l.* on *June* 26. from Mr. *Berkin*. The Evidence for the King was a Collar-maker, who affirmed that *Henly* brought him the Hide of the Mare that was ſtole, which was found upon him. The Priſoner confeſſing he had the Mare, and bought her for 3 *s.* the Jury found him guilty.

*William Davis*, of the Pariſh of *St Giles's in the Fields*, Indicted for a ſilver Tankard, val. 4 *l.* 15 *s.* *June* 11. from *John Peatly*: The Evidence was thus: *Davis* coming into the houſe, called for a Tankard of Drink; it being brought, and the Maid that drew it going down, the ſaid *Davis* throwing out the Drink, ran away with the ſilver Tankard. The Pri- ſoner having little to ſay, he was brought in by the Jury guilty.

*Michael Newlan*, in the Pariſh of *St. Maries*, Indicted for ſtealing from one Mr. *Littleton* Goldſmith, *July* 30. one Gold Ring, value 4 *s.* Upon the Tryal it being proved he had the Ring, and not being able to make defence, he was by the Jury found Guilty.

*Samuel Wardner*, Indicted for ſpeaking Seditious Words againſt the King and Government; ſaying, *Argile did well in what he did, and it would be happy if the Nation would Aſſiſt him*; and ſaying further, *that the King took more upon him than was Right*. The King's Evidence Swore very home to the Indictment, and the Priſoner making very little Defence, he was found Guilty.

*Lewis le Fore*, of *St. Martins in the Fields*, Indicted for aſſaulting one *Thomas Bridges*, on *June* 7. with a Rapier, value 5 *s.* thruſting the ſaid *Bridges* into the Left Pap, up- on which he dyed: But it appearing by the Evidence, 'twas done in his own defence, the Jury brought him in Not Guilty.

*William White*, and *Henry Morgan*, of *St. Margarets Weſtminſter*, Indicted for aſſaulting *Ann Hoult* with a Ra- pier, *July* 5. on the Left Side of her Belly, inſomuch that ſhe dyed. Upon the Tryal it appeared that *Morgan* com- mitted the Murder, who is ſince fled, thereupon *White* was brought in Not Guilty.

*John Morgen*, of the Pariſh of St. *Leonard Shoreditch*, Indicted for Breaking up the Houſe of one *Fiskins*, *June* 30*th* and ſtealing thence two Cloth Coates, value 10 *s.* a pair of Breeches, value two Shillings, a Crape Gown, value one Shilling, with other things. It appeared by the Evidence that the Cloaths were found upon him, and he not being able to Excuſe himſelf, was by the Jury brought in Guilty.

*John Somerſet*, of the Pariſh of *St. Clements Danes*, be- ing a Soldier, and under Pay in His Majeſties Service, Run away from his Colours; which being proved, and confeſſed by the Priſoner, he pretending to be ſick, was by the Jury found guilty.

*Elizabeth Churchouſe*, of the Pariſh of *Aldgate* Indicted for ſtealing from Mrs. *Roderick*, June 1. one Coif, to the va- lue of 6 *d.* The matter being proved againſt her, ſhe was found guilty to the value aforeſaid.

*Eleanor Hilton*, Indicted for unlawfully Clipping and cutting the King's Coin, *viz.* 20 pieces of King *Charles* the firſt his Half Crowns, and 20 pieces of Queen *Elizabeth* Shillings: Two Goldſmiths atteſting the Priſoner had often brought Clip'd Money to be changed for Guine.'s, and produced Monies they recieved from her; ſhe giving but a ſhallow account of her ſelf, was by the Jury brought in Guilty.

*Henry Antony*, in the Pariſh of St. *Katherines*, Indicted for breaking up the Houſe of one *Travers*, on *June* 23. and ſtealing 5 gold Rings, value 3 *l.* 5 *s.* 6 *d.* a ſilk Hood, value 4 *s.* with other ſmall things. The Priſoner being found in the Act, and unable to defend himſelf, was brought in by the Jury guilty.

*Jonathan*

*Jonathan Becket*, Indicted for ſtealing a Velvet Coat, value 5 *l.* from *Michael Dickenſon* Eſq; The Evidence thus: A Woman meeting the ſaid *Becket* with the Coat in his hand, and Mr. *Dickenſon* charging him with the Felony, he the ſaid *Becket* pray'd he would forbear to ſend him to *Newgate*, and he would pay him the price of the Coat in money. All the Priſoner could ſay in his own defence, was but little; upon which he was found Guilty.

*Jeremy Phillips* of St. *James Clarkenwell*, Indicted for ſtealing from *Richard Frisby* on *June* 22. 12 glaſs Bottles, value 3 *s.* ſix quarts of Syder, value 4 *s.* 6 *d.* 19 plum Cakes, value 3 *s.* The Priſoner confeſſing the Fact before a Juſtice of Peace, he was brought in Guilty to the value of 10 *d.*

*Mary Hancock* of St. *Giles*, Indicted for aſſaulting *Mary Baker* on *May* 22. putting her in fear of her Life; ſtole a ſtuff Petticoat, value 1 *s.* 6 *d.* and divers other things; as a Necklace, and a Hood, &c. It appeared on her Tryal, that nothing but Suppoſitions was proved againſt her, only the ſaid *Mary Baker* a Child ſaid that the Priſoner was the Woman that robbed her. Upon which ſhe was found Guilty by the Jury.

*Jo. White*, of St. *Giles*, Indicted for ſtealing a Mare on *Decemb.* 14. from *Andrew Butler*, value 6 *l.* It appeared on the Tryal, that the Mare being taken with another man on her back, and ſeizing her, the Perſon that then had her, ſaid that he bought her of Mr. *White*: It appeared that the Priſoner had the Mare of one *Midleton* upon an Attachment: He was brought in Not Guilty.

*Jo. Silke*, Indicted for ſtealing on *Feb.* 11. from *Antony le Fountain* Goods to the value of 14 *l.* pleads Guilty to this and all before; therefore the Jury brought him in Guilty.

*Mary Pall*, of St. *Martins*, Indicted for ſtealing on *June* 16. one Crape Petticoat, value 3 *s.* with divers other Goods, from *Mary Bell*: All the Evidence that appeared againſt the Priſoner, was the Perſon that loſt the Cloaths, who did believe the ſaid *Mary Pall* had her Cloaths: ſhe was brought in Not Guilty.

*Anne Clarke*, of St. *Martins*, Indicted for ſtealing a pair of Shooes, value 2 *s.* 6 *d.* two pair of Flaxen Sheets, value 10 *s.* with other Linnen, from one Mrs. *Bankes*: The Evidence proved, that taking the Priſoner, ſhe had the Shooes on her Feet: It was likewiſe proved that *Bankes* going to Church, and leaving the Priſoner in the Houſe, when ſhe came home the Priſoner was gone, and her Goods miſſing; All her defence was, that the Shooes were given her: She was brought in Not Guilty.

*William Goring*, in the Pariſh of St. *Clements Danes* Gent. was Indicted, for that he, *July* 6. was guilty of aſſaulting one *Jaques* about eight of the Clock at night, giving him a Mortal Wound on the right Eye with a Rapier, of which Wound the ſaid *John Jaques* Died. The Evidence for the King being ſtrong, and *Goring* making but ſmall Defence, was found guilty of Manſlaughter.

*Jo. Toacker*, Indicted for ſtealing a Bever Hat, value twenty ſhillings, on *July* 8. from Mr. *Brockwood*. The Priſoner confeſt he had the Hat, but that he bought it: He was found guilty to the value of 10 *d.*

*William Gare* and *William Cole*, Indicted for breaking up *El. Brooks* ſhop on *June* 17. and getting falſe Keys and Pick-locks into their Poſſeſſion: It was proved very apparent againſt the Priſoners, who were brought in by the Jury Guilty.

*Mary Cox*, alias *Holden*, of the Pariſh of Saint *Martins* in the Fields, Indicted for ſtealing a piece of coyned Gold, called half a Guinea, value ten ſhillings nine pence, on *June* 9. from *Ann Emmuet*. All the Evidence that appear'd, was, that the half Guinea was loſt, and ſhe ſuſpected the Priſoner to have it: The Jury found her Not Guilty.

*William Armſtrong*, of St. *Martins*, Indicted for ſtealing from the Right Honourable *Henry* Duke of *Grafton*, one Pallet bed, value 10 *s.* a Feather-bolſter, value 5 *s.* with Blankets: The Evidence for the King ſay, that the Priſoner confeſs'd the Fact, and farther, that the Goods were found in *Armſtrong*'s cuſtody: He was brought in Guilty.

*Nicholas Apleton*, and *Joan Anderſon*, of St. *Stepney*, Indicted for ſtealing a grey Gelding, value ſhillings, on *July* 4. from *John Welford*. On t appeared that both the Priſoners were taken on H *Apleton* affirmed, that the aforeſaid *Joan* brought to him, and deſired him to get up before her, to in her way: The Woman confeſſing the ſame brought them in Not Guilty.

*Mary Brown*, of St. *Pauls Covent-Garden*, for ſtealing from *Morday Cracklow* on *July* 11. eleve of Cloth, value 13 *s.* 6 *d.* It was proved againſt th ſoner, that ſhe coming to buy Cloth in *Cracklow*'s ſhop going out into another ſhop, ſhe was found upon the quiry of the Cloth, to throw the Cloth behind a Counter ſhe was brought in Guilty to the value of 10 *d.*

*Thomas Golesburrow*, of St. *James Midd.* had two Indictments againſt him, one for ſtealing a Sheep, value 20 *s.* on *July* 4. from *John Towe*; another for ſtealing one Sheep, value 20 *s.* from *Mark Bowes*: The Priſoner confeſs'd he had the Sheep, and ſo was brought in Guilty.

The Tryals being over, the Court proceeded to give Judgment, as followeth:

Four Ordered to be Tranſported, *viz.*

*Jonathan Becket*, *John Spencer*, *Francis Martin*, *Thomas Golesburrow*.

Nine burnt in the Hand, *viz.*

*Thomas Battin*, *William Sims*, *William Goring*, *Francis Barnes*, *William Scot*, *William Davis*, *Michael Newlan*, *Peter Lary*, *William Armſtrong*.

Seventeen to be Whipt, *viz.*

*Sarah Walker*, *Joſeph Peirce*, *Robert Taylor*, *Edward Hickman*, *Thomas Croſs*, *Alice Wilſon*, *Elizabeth Churchouſe*, *Mary Brown*, *Jeremiah Phillips*, *John Thacker*, *Elianor Hilton*.

*Samuel Wardner* for ſpeaking Seditious words againſt the King and Government, is to be whipt from *Aldgate* to *Temple-Bar*, fined four Marks, and find Security for ſeven years.

*William Gare* and *William Cole* whipt from *Aldgate* to *Temple-Bar*, fined 3 *s.* 4 *d.* a piece.

*Philips* and *Shaller* are to be whipt, for being guilty of a Ryot in *Ludgate* Priſon, from *Newgate-ſtreet* round St. *Pauls* Church-yard, to *Ludgate*, and ſo to *Newgate* again. Alſo one *Goſmer* was Fined for the ſame Fact.

*John Machenny*, to be ſeverely whipt, for diſperſing ſeditious Books, on Wedneſday and Friday next.

Thirteen received Sentence of Death, *viz.*

*William Blower* for High-Treaſon, *Robert Frances*, *William Vanderhurſt*, *George Attwell*, *Samuel Anderton*, *Thomas Weal*, *Nathaniel Page*, *John Smith*, *John Henly*, *John Somerſet*, *John Morgen*, *Henry Antony*, *Mary Hancock*; after Sentence ſhe was Reprieved.

The Proceedings having been thus far, the Court adjourned to *Guildhall* on Monday the 24*th* of *Auguſt*, by Seven a Clock in the Forenoon: Appointed the next Seſſions to be held at *Juſtice-Hall* in the *Old-Bayly*, on Wedneſday, *Aug.* 26. next enſuing.

*GOD SAVE THE KING.*

This may be Printed. *R. L. S.*

*London*, Printed by *G. Croom*, at the *Blue-Ball* in *Thames-ſtreet*, over againſt *Baynards Caſtle*, 1682.

Mr Ed: Maidman

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# THE DYING SPEECH OF Robert Frances OF GRAYS-INN, Eſq;

*July* 24. 1685.

Delivered by his own Hand to the Ordinary, at the Place of Execution, deſiring the ſame might be publiſhed.

I Am here by the Divine permiſſion and Providence of God become a ſpectacle to God, Angels and men, for a raſh, Extravagant and imprudent Act, wherein I do confeſs, I have not only offended againſt the Government and Courts of Juſtice, but againſt *Chriſtianity*, and even the Rules of Morality it ſelf: Nevertheleſs, (I hope) not only the Court, but all unbiaſed Men, from the ſeveral Circumſtances of the Fact, are ſatisfied that I had no Malicious intent of doing what fell out, nor had any Grudge or perſonal Prejudice to him upon any account whatſoever, more than what all Honeſt and Good Men could not but have, that Love the King and the Government. The ſolemn Truth of all which, I have declared not only upon the Holy Sacrament I received from Mr. *Maſter*, but alſo that I never knew nor ſaw him before that unhappy moment, ſave once at a diſtance in the Pillory at *Weſtminſter*; and do now as a dying Man ſolemnly avow and proteſt the ſame: And therefore I hope I may boldly ſay I am not conſcious of any Guilt before God as to the malice: However God in his great Wiſdom has been pleaſed to ſuffer this great

Calamity

Calamity to fall upon me: And I hope this his ſevere Chaſtiſement, is in order to bring me to himſelf, when ſofter means had not ſufficiently done it. All them that know me (I am ſure) will do me that Juſtice, as to believe I am far from having done it either willfully or mercenarily (as moſt untruly is reported.) And that theſe Honourable Perſons are above the thoughts of ſuch unworthy things, for which they have been as maliciouſly as falſly traduced upon my ſcore; I beg their Pardon for the Scandal I have unhappily been the occaſion of, and deſire this Acknowledgment may be by them accepted as a Reparation ſince to diſown it at this time of my death, is all the Satisfaction I am able to make them.

As to my Religion (however I have been repreſented) there are People that knew me at the Univerſity, and ſince that can be my Witneſſes, how obedient and zealous a Son of the Church of *England* (by Law eſtabliſhed) I have been.

And theſe worthy Divines that did me the favour to viſit me in affliction, will give the World an account (as occaſion ſerves) of my integrity therein: And if I had been as zealous in the Service of God, as my Prince, he would not have left me ſo much to my ſelf, as to have permitted me to have fallen into this unexpected Extremity.

And as for my Morals, the Honourable Society of *Grays-Inn* will anſwer for me, that in above theſe twelve years time, I have had the Honour of being admitted a Member of that Society, I never had any Quarrel or Controverſie with any Member thereof; and all Perſons with whom I have had Converſation, I queſtion not will give a good Character of my innocent and peaceable behaviour.

I pray God Almighty Preſerve and Bleſs His Moſt Sacred Majeſty, His Royal Conſort Queen *Mary*, *Katherine* the Queen Dowager, their Royal Highneſſes, and all the Royal Family; and grant that there may never want one of that Royal Line to ſway the Scepters of theſe Kingdoms as long as Sun and Moon endure. In the Union and Love of his Subjects, ſtrengthen him that he may vanquiſh and overcome all his Enemies, which I am glad to have ſeen ſo much proſpect of, and am only ſorry I am cut off from ſeeing my ſo much deſired ſatisfaction of thoſe happy days all his good Subjects will enjoy under his Auſpicious Government. I pray God forgive me my Sins that have made me unworthy of that Bleſſing.

Bleſſed

Bleſſed be the Lord that I have lived ſo as not to be aſhamed to live, or afraid to dye; though I cannot but regret my being made a Sacrifice to the Faction, who I am ſatisfied are the only People that will rejoyce in my ruine, for there is no man that loves his Prince, but will lament that nothing leſs than the Blood of an inoffenſive man (ſave in this ſingle Extravagance) can ſatisfie them for the ſudden intemperate tranſport of Zeal and Paſſion againſt one ſo notoriouſly wicked and Infamous; for I do proteſt before Almighty God, (before whom I ſhall immediately appear) that when I went to the Coach-ſide, I did not intend ſo much as to ſpeak to him, or believe I could have had opportunity of ſo doing, much leſs of doing him any harm. Neither is it probable I ſhould with a ſmall Bambow Cane, no bigger than a Man's little Finger, without any Iron upon it, much leſs a Dart in it, as it was moſt induſtriouſly ſpread abroad to prejudice me in the opinion of the World: For if I had had ſuch a wicked deſign intentionally, I had a little ſhort Sword by my ſide much more proper for ſuch a purpoſe. And further, if I had believed or known that I had done any harm to him, I had opportunity enough of eſcaping afterwards; which I never endeavoured. Now all theſe things being duly weighed with their ſeveral Circumſtances, I leave my ſad Caſe to the Conſideration of all ſober and charitable Men. However I would not have this to be interpreted as a Reflection upon the Court, who I doubt not are by this time ſatisfied, (and Mr. *Recorder* did in open Court declare) that in their Conſciences they did not believe I maliciouſly deſigned him the miſchief that happened, but that it was purely accidental. But in the ſtrict Conſtruction of Law I was found Guilty of Murder.

But that which moſt ſenſibly afflicts me, and is worſe to me than death, that I cannot ſuffer alone, but that they have not only raiſed Scandals upon me in particular Preparatory to it, but upon my poor innocent Wife, as if my jealouſie of her had been the reaſon of my animoſity to *Dangerfield*; when I am morally certain ſhe never ſaw him in her whole life, ſave that fatal Moment; and no couple (as hundreds can witneſs) have lived in better Correſpondence. And beſides that, ſhe is as vertuous a Woman as lives, and born of ſo good and Loyal a Family, that if ſhe had been ſo enclined, ſhe would have ſcorned to have proſtituted her ſelf to ſuch a profligate Perſon; But on the contrary (God is my witneſs) I never had any ſuch thoughts of her, and do as verily believe as there is a God in Heaven, I never had any reaſon, ſhe having always been the moſt indulgent, kind

and

and loving Wife that ever Man had, and in my Conſcience one of the beſt of Women; nay, I am ſo far from ſuſpecting her Vertue, that ſhe is the only loſs I regret on Earth, and can freely part with every thing elſe here below without repining, which in all my trouble I have owned before all People, and particularly Mr. *Maſter*, Mr. *Ordinary*, and Mr. *Smithies* of *Cripple-gate*, who can all teſtifie thoſe Tears and endeared Expreſſions that have paſſed between us, when any of them did me the kindneſs to viſit me in my diſtreſs.

And I do from the bottom of my heart freely forgive the Witneſſes that Swore againſt me thoſe words I never ſpoke, for as I ſhall anſwer at the great Tribunal, I ſaid no other or more words than theſe; *How now Friend, have you had your Heat this Morning?* For all the ill they have done me, give them Repentance Good God, even for theſe that have contributed to the ſhedding of my Blood, I pray thee ſhed thy Bowels of Mercy.

I do heartily thank thoſe Noble and Honourable Perſons, and all other my Friends, that have ſo charitably interpoſed with His Majeſty on my behalf (though it hath proved unſucceſsful) I pray God nevertheleſs to return their kind endeavours a thouſand Fold into their own Boſoms: Lord return it to them and theirs.

Lord Jeſus receive my Soul, *Thy will be done on Earth as it is in Heaven. Amen, Amen, Amen.*

*Robert Frances.*

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Licenſed *July* 24. 1685. *Ro. L'Eſtrange.*

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*don*, Printed by *George Croom*, at the *Blue-Ball* in *Thames-ſtreet*, over againſt *Baynard's* Caſtle, 1685.

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# HIS MAJESTIES

Moſt Gracious and

# FREE-PARDON,

TO

*Several Priſoners in* Newgate, *at the Seſſions of the Peace, and* Oyer *and* Terminer, *and Gaol-Delivery, Held for the City of* London, *and County of* Middleſex, *on* Thurſday *the* 27th. *Day of* Auguſt, 1685. *And in the firſt Year of his* Majeſties *Reign.*

WHereas at ſeveral *Seſſions* laſt paſt, held for the City of *London*, and County of *Middleſex*, divers Criminals had recieved Sentence of Death and Tranſportation, it pleaſed His Moſt Sacred *Majeſty* out of his Inherent Clemency peculiarly Reſident in his Royal Line, in Imitation of his Mercifully Famous and ever to be remembred Anceſtors, to extend the favour of his Free and Gracious *Pardon*, to the ſeveral Priſoners here under Named. In order whereunto, the Right Honourable Sir *James Smith* Kt. Lord Mayor of the City of *London*, Sir *Thomas Jenner* Kt. one of his *Majeſties* Serjeants at Law, and Recorder of the ſaid City, together with others of the Worſhipful the Aldermen of the ſaid City, the ſame Day about Four of the Clock in the Afternoon, did call over the ſeveral Priſoners here under Named, for whom a General *Pardon* was there Read, which they ſeverally on their Reſpective Knees all Pleaded; which the Court was pleaſed to Allow of; and accordingly the ſaid Malefactors were thereby Pardoned, *viz.*

*Elizabeth Ratcliffe*
*William Rawſon*
*Elanor Michel*
*John Thomſon* alias *Silke*
*John Price*
*John Filborow*
*Thomas Saltmarſh*
*Hugh Jones*
*Sarah Bell*
*Elizabeth Hill*
*Ralph Watſon*
*Richard Mayden*
*Joanna Pell*
*Ann Dye*
*Jane Simpcoe*
*Chriſtopher Orchard*
*Richard James*
*Charles Midleton*
*Benjamin Crooke*
*Lionel Fenwick*
*Thomas Parlow*
*Edward Parlow*
*William Lippey*
*Charles Davis*
*Noell Green*
*Edward Little*
*Mary Cary*
*Mary Rapire*
*Daniel Mackrow*
*Thomas Brown*

This may be Printed,

*R. L. S.*

*London*, Printed by *George Croom*, at the *Blue-Ball* in *Thames-ſtreet*, over againſt *Baynard's-Caſtle*, 1685.

A TRUE

# ACCOUNT

OF THE

# Behaviour, Confeſſion,

AND

# EXECUTION

OF

## William Chayley and Ann Scot,

Who Received Sentence of Death on the 27*th.* of *Auguſt* laſt, at JUSTICE-HALL in the *OLD-BAILY*, and were Executed at

# TYBURN

## On *Friday* the 4*th.* of this Inſtant *September* 1685.

As alſo a Brief Account of the Seven other perſons, who received Sentence of Death with them, but before Execution found mercy in a Gracious Reprieve, *viz. John Thompſon, Thomas Draper. Thomas Glaniſter, Cathrine Baucer, Caſſandra Widdows, Ellenor Steel,* and *Elizabeth Hacker.*

STill it appears, notwithſtanding the many precedent Examples Juſtice has made of Offenders, that divers are beſotted to that degree, or deluded by the wiles and Temptations of the Enemy of mankind; that regardleſs of their Safety, Lives, or Reputations, they will raſhly run themſelves to Ruin and Diſgrace, neither fear of Shame nor Severity being of force ſufficient to keep them within the Bounds of Honeſty and civil Behaviour, nor to make them look back and conſider the danger they are in, till it is too late to Retrive the ſad diſaſter, then, and but then, they are content to open their Eyes, and inform themſelves how they have been intic'd and drawn away how eaſily they have conſented to the perſwaſions of wicked perſons, whom *Satan* has laid as ſnares in their way to undo them, as will more evidently appear in the following Relation, in which is contained; more eſpecially the Crimes, *M*anner of *B*ehaviour and Confeſſion of two Perſons cut off by the Hand of Juſtice, in the prime and ſtrength of their days, as it was obſerved and taken from themſelves in *Newgate*, &c.

*William Charley*, Tryed the precedent Seſſions, holden at *Juſtice-Hall* in the *Old-Baily* upon an Indictment of Felony and *B*urglary, Committed on and in the Ware Houſe of one *Mr. William Lovedav*, Scituate in the Pariſh of St. *Michaels London*: It appeared that Cloath had been ſtolen thence to

the value 120 *l* and that upon ſearch, part of it was found in *Crouders-Well-Alley* in *Jeven ſtreet*; and upon further inquirie it was proved to be brought thither by *Charley* and others, as likewiſe other percels of Cloath, that had been carried out and diſpoſed of, and he having been formerly burnt in the hand, no perſon appearing to give teſtimony on his behalf, he was found Guilty; when upon his Conviction he became exceeding ſad, imagining as he ſince confeſſed no mercy would be allowed him, ſince he had refuſed to take warning by his former puniſhment. The day following, being the 27*th.* of *Auguſt* laſt, he with Eight other Offenders received Sentence of Death, and was returned to *Newgate* in order to prepare himſelf for another World, his offences having render'd him incapable of a much longer continuance in this; where (upon his firſt arrival) he betook himſelf to his Devotion, imploring the God of mercys, to have mercy upon his Soul; and that in compaſſion thereto, he would be pleaſed to give him a heart to repent: After theſe and ſuch like expreſſions, he proceeded to declare he had been a great ſinner, tho' but a young man not exceeding 25. Years of Age: Being asked what his former buſineſs was, and how he ſpent his time before he fell to ſuch unlawful courſes; he ſaid he was born of honeſt Parents in *Coventry*, who uſed their faithful endeavours to qualifie him by learning and what elſe was convenient for buſineſs that might render him credible, and enable him to live in the World; and that as ſoon as he was of Years capable for Employment, put him Apprentice to one *Mr. Hix*, a Callender in the City of *London*, and furniſhed him with all convenient neceſſaries; but he, after he had a while faithfully ſerved the ſaid *Mr. Hix*, finding opportunity to ramble abroad ſorted himſelf with bad Company, which by degrees drew him to neglect his buſineſs and in the end to ſteal, the better to ſupport and maintain his Extravagance: Being asked what was his firſt Fact in that Nature, he replyed, ſteaing a conſiderable quantity of *Blew* Cloath which he was intruſted with by his *Maſter*, or at leaſt had opportunity of taking it, he [illegible] that time a Porter to a Draper's Shop, which Cloath he diſpoſed of at a ſmall value, but the Theft being found out and proved againſt him; He was about Four Years ſince burnt in the Hand for that Felony, and Caſhired from his Service, after which; rambling up and down he fell in Love with a Servant Maid, and to mannage Gentilely his Courtſhip (being deſtitute of any Lawful Employ, whereby he could ſupport himſelf as he deſired) he ſaid he betook himſelf to unlawful courſes ſtealing (as opportunity gave leave) Goods at ſundry times from divers perſons, ſpending the ſmall value he had ſold them at (being for the moſt part under hand) upon the Woman he ſo earneſtly deſired; being asked how he found himſelf as to another State, he replyed, he was very ſenſible of his Latter End, deſiring nothing more than that he might live long enough to make his peace with God, whom he had offended in ſo high a Nature, and whoſe Mercys and opportunities of Grace he had ſlighted and rejected, for which he was heartily ſorry, hoping that it was not too late to repent him of the *Evil of his ways*, deſiring ſuch as came to viſit him, that they would in Chriſtian Charity pray for him, that God might give him a true Repentance, earneſtly deſiring that his misfortune might be of Efficacy to prevail upon others not to give way to deceivers and deluding perſons, to intice them under any ſpecious pretence whatſoever, to give up their mind to Idleneſs and Vanity; but above all, he deſired that all young men Apprentices would ſeriouſly weigh his condition, and conſider by what degrees he was brought to be an Object of Miſery, which he ſaid he well hoped would be a means to continue and retain them within the Bounds of Apprentices, *viz.* in minding the buſineſs they were intruſted with, in pleaſing their Maſters, and giving themſelves to ſobriety and moderation, but eſpecially to avoid evil company, for that had ruined him, and is indeed the Root of wickedneſs, ſhame & diſgrace.

To

To thoſe that came to viſit him he was very reſpectful, giving great attention to ſuch advice as was given him, relating to a preparation for Death, and ſo continued very ſenſible and penitent during his being in *Newgate*.

*Ann Scot*, Convicted the ſame Seſſions with the former, and receiving Sentence of Death, upon Evidence that ſhe had Feloniouſly taken a Flower'd Mantua-Gown, a Sattin-Petticoat and other Goods, out of the Houſe of *James Marmion*, Scituate in the Pariſh of St. *Dunſtans* in the *Weſt*, and not being capable of ſaying any thing material for her ſelf; ſhe upon her return to *Newgate* became ſad as the former, being frequently obſerved to wring her Hands and Sigh, ſaying, ſhe was the unhappieſt Woman alive wiſhing ſhe had never been Born, rather than to have fallen into ſo unhappy a Condition: As for the place of her Birth, ſhe ſaid it was in the County of *Down* in *Ireland* being brought up there to work divers curious Works with the Needle, but leaving her Parents, and coming over upon a ſlight occaſion, the chiefeſt Motive being to ſee this Country, and ſhe after a while brought to ſome neceſſity betook her ſelf to Imbrodering, and found a conſiderable Employment, living as a ſingle Woman, in *White's-Alley* in *Chancery Lane*, working there very hard, but that ſort of buſineſs failing, ſhe fell into looſe and idle Company, who encouraged her in Leudneſs, and altogether took her off from her Employment to follow unlawful Courſes, as well Debauchery and Proſtitution, as pilfering and many other Matters tending to Defraud and Injuſtice, which by degrees had imboldened her to the height of Wickedneſs in which ſhe was overtaken: She ſaid about a year ſince ſhe was Tryed for a Cravat valued at 3 *s.* 6 *d.* which was ſtole, but there being no other Evidence than that ſhe had paun'd it upon the account of another, ſhe was acquitted, yet was not ſo wiſe as to lay that narrow eſcape to her Heart, nor to take up, and reſt her ſelf ſatisfied therewith, wherefore what had ſince befallen her, ſhe ſaid was juſt, and therefore if ſhe muſt dye ſhe would bear it patiently, tho' it happened untimely; ſhe not being above 24. Years of Age, yet the greateſt part of that time ſhe had miſimployed in ſining againſt her maker; few known ſins that ſhe was capable of Acting, Murther excepted, ſhe having been a ſtranger to her, yet ſhe hoped God would not lay them to her Charge in her laſt extremity, but out of the multitude of his Mercys, accept her imperfect Repentance, being asked whether ſhe found her ſelf diſpoſed to imbrace the penalty of the Law, puniſhing with Death ſuch has had offended in the like Nature as ſhe had done, her reply was, that if ſhe might live ſhe hoped ſhe ſhould employ her time for the future to a better advantage, but if not, God's Will be done, and ſo continued in often Prayer to her ſelf, ſeeming very

at-

attentive to good and wholesome advice relating to her immortal well-fare, expressing her desire to be instructed therein, as much as Conveniency and Opportunity would permit, and in that State of Penitence during the Respit in *Newgate* she was very diligent.

Seven other Persons lay likewise under the same Condemnation, as *Catharine Baucer*, *Cassandra Widdows*, for being concerned with *Ann Scot*, in Robbing Mr. *Marmion*.

*Thomas Draper*, for stealing a Gelding, valued at 6 *l.* from one *William Watson*, of the Parish of St. *Sepulchres*, on the 14*th* of *August* last.

*John Thompson*, for breaking the House of *Thomas Temple* of the Parish of St. *Michaels Wood-street* on the 21*th*. of *August* last, and stealing thence 7. Napkins value 4 *s.* 2 Handkerchiefs value 1 *s.* and other Linnen.

*Thomas Glanister*, for breaking open the House of *John Clark*, in the Parish of St. *Andrews Holborn* on the 2*d*. of *August* last, and stealing 3 Stuff-Coats, value 12 *s.* 2 pair of Breeches value 5 *s.* and other Goods of valne.

*Elizabeth Hacker*, for stealing a Chamblet Cloak value 6 *l.* out of the Chamber of one *Alexander Hulston* of the Parish of St. *Andrews Holbourn*, on the 27*th*. of *July*.

But these, in hopes of their amendment and being reclaimed, found the Royal Mercy & Princely Compassion in a Gracious Reprieve for a longer Life, having before expressed their Sorrowful sense of their sad Condition to which they had brought themselves, by breaking the known Laws, and forfeiting their Lives to Justice.

On *Friday* the 4*th*. of *September* *William Charley* and *Ann Scot* were put in a Cart, and conveyed to *Tyburn*, the place of Execution where they were Executed as the Law in such Cases requires.

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*This may be Printd, R. L. S.*
*September* the 4*th*. 1685.

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**LONDON**;

Printed by **E. Mallet** in *Black-Horse-Alley* in *Fleet-street*, near *Fleet-Bridge*, 1685.

# An ACCOUNT OF THE PROCEEDINGS AGAINST THE REBELS at an ASSIZE holden at EXETER,

On the 14*th.* of this Inſtant *September*, 1685. where to the Number of 26 Perſons, were tryed for *High-Treaſon*, and found Guilty.
As alſo an Account of the ſeveral Perſons Names that were appointed to be Executed, and the places they are to be Executed at.

SIR,

I Having already given an Account of the Proceedings at *Dorcheſter*, I ſhall now proceed to that of *Exeter*; where on the 14*th*, of this Inſtant were Arraigned for *High-Treaſon*, the Perſons whoſe Names follow.

*John Oliver*,
*Henry Knight*,
*Abraham Hunt*,
*Chriſtopher Cooper*,
*Edmond Bovet*,
*Samuel Pots*,
*William Siller*, Jun.
*John Knowles*,
*John Follet*,
*Elias Holman*,
*William Parſons*,
*Thomas Quintin*,
*Thomas Broughton*,
*Peter Bird*,
*John Kemplin*,
*John Goſling*,
*John Sprake*,
*William Clegg*,
*Walter Teape*,
*James Cox*,
*Timothy Dunkin*,
*John Roſs*,
*Thomas Connet*.

The Perſons above-named, being in Number Twenty Three, which were Indicted for

High

High-Treaſon, and upon their Arraignment pleading Guilty, and have ſince received Judgment.

*John Foweracres*, and *Robert Drower*, puting themſelves upon Tryal were found Guilty, and received Judgment as the former.

Thomas *Hobbs* tryed for Proclaiming *Monmouth* King at *Crediton* in the County of *Devon*, was found Guilty, and received Judgment.

Theſe are all the Perſons that were tryed at *Exeter* and received Judgment, in Number 26. out of which number 14 are ordered to be Executed at the ſeveral places following, *viz.*

*John Foweracres*, Executed at *Exeter*.
*Thomas Hobbs* at *Crediton*.
*William Parſons*, *Thomas Quintin*. } at *Ottery* St. *Mary*.
*John Sprake*, *William Clegg*. } at *Collyton*.
*John Oliver*, *Henry Knight*, *Samuel Pots*, *John Knowles*, } at *Honiton*,
*Thomas Broughton*, *John Goſling*, *Timothy Dunkin*, *John Roſs*, } at *Axminſter*.

The Heads and Quarters of theſe Perſons, are to be fixed where the King ſhall appoint.

*Your Servant*, T. S.
*September* the 15*th*. 1685.

This may be Printed, *R. L. S.*
*September* the 25*th*, 1685.

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*LONDON*; Printed by *E. Mallet*, in *Black-Horſe-Alley* near *Fleet-Bridge*, 1685.

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A further

# ACCOUNT

OF THE

# PROCEEDINGS

AGAINST THE

# REBELS

in the West of

# ENGLAND;

Who on the 10th. of *September*, 1685. To the Number of Two-Hundred Fifty One Received Sentence of Death, at *Dorchester* for

## High-Treason

Of which Number. 67. were ordered to be Executed at *Lyme*, *Bridport*, *Weymouth*, *Melcom Regis*, *Sherborn*, *Pool*, and *Wareham*, and the Remainder respited till farther Order,

*September* the 11th. 1685.

IT might have been reasonably imagined that former Examples should have been sufficient, to have put a stop to those Factious Spirits; who have all along made it their business to disturb the Peace of this Nation, but 'tis Evident, (either transported with Malice, or a desire to advance themselves upon the Ruin of their Country;) they have been of late, more and more restless, pulling off by degrees the Veil of dissimulation, and in the end, divers of them, to their Shame and Confusion, have drawn that ruin upon themselves which they intended to others, by enterprizing an unnatural Rebellion against the best of Princes, though altogether without success; for on the 6th. of *July* last being utterly broken and subdued; a great part of them there, or soon after taken Prisoners:

Thoſe that were taken, were ſecured in divers Priſons, of which, theſe whoſe Names follow having been put into the hands of Juſtice, divers of them upon their Arraignments confeſſed the Indictments, and the reſt putting themſelves upon Tryal were found Guilty of the *High-Treaſon* as layd in their Indictments, it appearing they were either taken on the *6th.* of *July* laſt, upon the defeat of the Rebels Army near *Bridgewater*, or ſoon after; and they having nothing material to offer in their own behalf, received Sentence of Death for *High Treaſon*, on the *10th* of this Inſtant *September*, 1685. Sixty Seven of them were at that time, ordered to be Executed at Seven adjacent *Towns*, as thus,

At *Lyme* in the County of *Dorſet* twelve, *viz.*

| | |
|---|---|
| *Abraham Holms.* | *Sampſon Lark.* |
| *Joſia Askew.* | *Chriſto. Battiscomb.* |
| *William Hewling.* | *Leonard Jackſon.* |
| *John Hays.* | *Henry Wats* |
| *John Kidd.* | *Benjamin Temple.* |
| *John Marders*, Conſtable of *Crookhorn* | *Robert Matchet.* |

The firſt Nine of theſe Perſons, came from the Priſon of *Newgate* and the *Gate-Houſe*.

Thirteen to be Executed at *Bridport*: the Sheriff to ſee Execution done according to his Orders, *viz.*

| | |
|---|---|
| *Robert* Bull and *John* Bull of *Axminſter.* | *lington.* *George Collier* of *Uplime.* |
| *Benjamin Sandford of Combepine.* | *Robert Fawn* of *Corſtombe.* |
| *John Lee of Buckrel.* | *John Beamont*, Sen. of *Lyme.* |
| *William Quinten of Shute.* | *John Sprake* and *Azarias Pinney, of Axminſter.* |
| *Thomas Clap* of *Sidemouth.* | |
| *Thomas Cook of Kil-* | |

*Malachie Malacke* order'd likewiſe to be Executed at *Bridgport*, but ſince Reprieved.

Twelve order'd to be Executed at *Weymouth* and *Melcombe-Regis*, *viz.*

| | |
|---|---|
| *Thomas Forte.* | *John Hartley.* |
| *John Beavis.* | *George Smith.* |
| *Iniſtram Elliot.* | *George Willmot.* |
| *Robert Slade.* | *John Robins.* |
| *William Lancaſter.* | *Edward Leggit.* |
| *John Burridge.* | *Roger Satchell.* |

Twelve order'd to be Executed at *Sherborn*; the Sheriff to ſee it done likewiſe according to his Order, *viz.*

| | |
|---|---|
| *Samuel Gliſſon.* | *Henry Rowe.* |
| *William Hart.* | *John Lawrence.* |
| *John Leggit.* | *Michael Abbot.* |
| *Francis Skinner.* | *Richard Hall.* |
| *William Alſtone.* | *John Savage.* |
| *George Puckeridge.* | *Robert Whorwood.* |

The firſt of theſe were brought from *Newgate*.

Twelve ordered to be Executed at *Pool*; the Sheriff to ſee Execution done; but no certain day aſſigned, *viz.*

| | |
|---|---|
| *William Dilling.* | *Andrew Ellis*, alias |
| *Andrew Tozier.* | *Cozens.* |
| *William Hardiman.* | *Joſias Roſtrick.* |
| *Thomas Jenkins.* | *Phillip Cocks.* |
| *Robert Salter.* | *William Martin.* |
| *Thomas Waldron* | *Nicholas Hoar.* |
| *John Pulling.* | |

At *Wareham* Six were ordered to be Executed; the Sheriff to ſee Execution done; but no day appointed, *viz.*

| | |
|---|---|
| *Samuel Robins.* | *Thomas Tyler.* and |
| *William Cock* Sen. | *Tho. Lawrence* who |
| *John Holloway.* | is ſince reprieved |
| *Adam Hawley.* | |

The Perſons that received Sentence with the former, and no place nor time then ordered for their Execution, were to the Number of 184. *viz.*

| | |
|---|---|
| *John Smith.* | *Benjamin Bryan.* |
| *Edward Lewther.* | *Henry Plotworthy.* |
| *John Downs.* | *John Loe.* |
| *John Edwards.* | *William Pippin.* |
| *Nathaniel Swapper.* | *John White.* |
| *John Winniby.* | *James Pomray.* |

*Robert*

Robert Shaw.
Thomas Gammiage.
Stephen Cook.
Thomas Bennet.
John Manning.
John Fiſher.
Robert Lumber.
William Watfield.
George Plumley.
Richard Keach.
Thomas Allen.
John Reaſon.
George Speering.
Mathew Porter.
Robert Spurway.
Peter Row.
John Lovering
Robert Foard.
John Beamont Ju.
Eliah Stephens.
Daniel Parker
John Bridle.
Thomas Parſons.
Nicholas Palmer.
John Davis
Thomas Williams.
Mathew Hutchins.
Nicholas Smith.
—— Mallet.
John King.
Edward Towel.
Edward Lane.
John Vincent.
John Pitts.
Evan Gammidge.
Andrew Robſon.
William Cozens,
Thomas Townſend
Jaſper Diamond.
Thomas Gregary.
John Allen.
Robert Hellier.
Thomas Allen.
Thomas Hellier.
Thomas Beſt.
John Marke.
John Mitchel.
John Madders.
Thomas Hallet.
John Alſop.
George Maſſey.
John Pinney.

Charles Strong.
William Pead.
William Sanders.
James Spence.
John Willſon.
Edward Adams.
John Adams.
Anthony Billing.
Arthur Luſher
John Hatchins.
John Lawrence.
Thomas Bovet.
Henry Beeſley.
Robert Baker.
John Duran.
James Fowler.
John White.
Francis Langley.
Thomas Moor.
John Moggridg.
Thomas Quick.
Nicholas Salter.
Francis Smith.
Richard Green.
William Marters.
John Pacey.
Thomas Greenway.
John Prew.
Richard Daniel.
Peter Kent.
John Skinner.
Adam Clark.
Chriſtopher Jewel.
Abraham Thomas.
John Baker.
Daniel Pitſon.
Robert Gough.
George Hempton.
Andrew Toſier
Samuel Dollier.
Peter Baggwell.
Benjamin Whicker.
John Whicker.
John Bagwell.
Oliver Hob.
John Ipſley.
John Itchcock.
Nicholas Betts.
Thomas Foſſet
William Gyles.
Joſeph Gay.
Thomas Perry.

John Winnely.
William Grove.
Samuel Walden.
John Bulling.
Robert Mulling.
Roger Bryan.
Charles Broughton.
Richard Parker.
John Hayn.
Joſeph Downing.
John Cornet.
Matthew ——
John Glover.
Emanuel Collins.
Roger Hobbs.
John Gay.
John Troſtle.
Chri. Marriot.
Joſeph Hallet.
Nath. Webber.
Edward Morton.
James Salter.
William Lowrey.
Ambroſe Aſhbourn.
Roger Prince.
Joſeph Belts.
Nicholas Warren.
Robert Sandey.
William Wills.
John Pryer.
William Tucker.
William Brown.
Samuel Lawrence.
John Hutchins.
Zachariah Brown.
~~William Clark.~~
John Brown.
Thomas Dolling.

Edward Maſh.
George Tucker.
John Eaſtman.
Robert Burridge.
John Allenbridg.
Henry Tucker.
Thomas Burridge.
Thomas Cornelius.
William Barridg.
Humphrey Moulton.
A——Lacy.
Ro. Dale.
Edward Willmot.
William Williams.
Thomas Marſhal.
Richard Paul.
Hugh Willmot.
John Johnſon.
Joſeph Paul.
Richard Allen.
James Hock.
John Gadbey.
Edward Ben.
Richard Pine.
Thomas Peſter.
William Cox. Jun.
Richard Cox.
Peter Troket.
John Wellman.
John Samm.
Henry Sing.
William Deale.
William Clark.
Walter Osborne.
Richard Hore.
William Hayns.
Thomas Franckling.
Thomas Lawrence.

John Jones and Joſeph Strong, were ſet aſide.

All which were carryed back to be kept in ſafe Cuſtody till further Orders are taken for their diſpoſal: And thus by their raſh and unadviſedneſs they brought themſelves to diſgrace, who otherwiſe might have lived peaceably and happy in their Stations and been profitable to their Country.

By this it is to be perceived how much Loyalty and Obedience is to be prefered before Diſloyalty and Stubbornes, how much a calm and peaceable Temper exceeds a reſtleſs and unſatisfied diſ-

Diſpoſition, ſuch a one, as commonly predominates in theſe kind of People, whom no mildneſs can win nor favours oblige, even to be kind to themſelves; for what more can be expected by Subjects than to live in Peace and Tranquillity under a gracious Prince, whoſe benign influence diſpences to all good Men an entire ſatisfaction, encouraging them cheerfully to proceed in thoſe meaſures that continue and increaſe their good repute and felicity, making them deteſt and abhor that Itch of Rebellion which has ever tranſported the Faction to a degree of diſquiet and diſcontent, though it is plain that God has often blaſted their wicked machinations and contrivances in private and publick, and given them tokens of his diſpleaſure, though hardned in themſelves, they have refuſed all reproof, notwithſtanding their pretenſions are Conſcience and Religion, but what ſhare or juſt claim they have to either, they have made apparent to the World, and outdone in their attempts (to promote their wicked purpoſes) the very *Mahometans*, who though Infidels hold their Prince ſacred, that their Governours ought to be obeyed, and the peace of the Government they live under preſerved inviolate amongſt themſelves, as far as their endeavours are capable of rendering it happy, and keeping matters in good order; and in that far out doing our pretended Zealots.

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*This may be Printed*, R. L. S.
September *the* 17*th*. 1685

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*LONDON* Printed by *E. Mallet* in *Black-Horſe-Alley* in *Fleet-ſtreet*, near *Fleet-Bridge*.

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# THE CHARGE GIVEN BY THE Ld. Ch. Juſtice Jefferies, AT THE CITY of BRISTOL,

*Monday, September* 21. 1685.

In his Return from his Weſtern Campaigne.

*Gentlemen,*

I Am, by the Mercy of God, come to this great and populous City, a City that boaſts both of its Riches and Trade, and may juſtly indeed claim the next place to the great and populous Metropolis of this Kingdom. Gentlemen, I find here are a great many Auditors, who are very intent, as if they expected ſome formal or prepared Speech, but aſſure your ſelves, we come not to make neither ſet Speeches; nor formal Declamations, nor to follow a couple of puffing Trumpeters; for, Lord, we have ſeen thoſe things Twenty times before: No, we come to do the King's buſineſs; a King who is ſo Gracious as to uſe all the means poſſible to diſcover the Diſorders of the Nation, and to ſearch out thoſe who, indeed, are the very Peſt of the Kingdom: To this end, and for this purpoſe are we come to this City. But I find a ſpecial Commiſſion is an unuſual thing here, and reliſhes very ill; nay, the very Women ſtorm at it, for fear we ſhould take the upper hand of them too; for by the by, Gentlemen, I hear it is much in faſhion in this City for the Women to govern and bear ſway. But, Gentlemen, I will not ſtay you with ſuch needleſs Stories, I will only mention ſome few things that fall within my knowledg; for Points or Matters of Law I ſhall not trouble you, but only mind you of ſome things that lately hath happened, and particularly in this City (for I have the Kalender of this City in my Pocket); and if I do not expreſs my ſelf in ſo formal or ſet a Declamation (for as I told you, I came not to make Declamations) or in ſo ſmooth Language as you may expect, you muſt attribute it partly to the pain of the Stone, under which I labour, and partly to the unevenneſs of this days journey.

Gentlemen, I may ſay, that even ſome of the youngeſt amongſt us may remember the late horrid Rebellion, how men, under colour of Law, and pretext of Juſtice, after they had diveſted a moſt Gracious and moſt Merciful Prince

of

of all his Royal Power, by the Power of the Sword; they, I ſay, under colour of Law, and pretext of Juſtice (which added the more to the Crime, that it was done under colour of ſuch pretended Juſtice) brought the moſt Mild and Meekeſt Prince (next to our ever Bleſſed Saviour Jeſus Chriſt, if we may but compare him to a Man) to die a Martyr, the firſt bleſſed Martyr, (pardon the expreſſion; beſides our moſt bleſſed Jeſu, who ſuffered for us on the Croſs, I ſay, beſides that Bleſſed Son of God) this, I ſay, was the firſt Royal Martyr; not ſuffering him to ſpeak for himſelf, or make his defence; a Liberty which is given to the vileſt Traitor; and this was done (not to deſcant on the number) by Forty one. The Rebels not reſting here, for Rebellion is like the ſin of Witchcraft, Diveſted the Lineal, Legal, and Rightful Heir of the Crown, of all his Power and Prerogative, till the Mighty God of Heaven and Earth, God Almighty, reſtored him to his Juſt Right: And he, as if begot in Mercy, not only forgave all Offences, and pardoned voluntarily, even all that had been in actual Arms againſt him (excepting thoſe accurſed Regicides) but alſo made it a Crime for any one that ſhould but remember, or upbraid any of their paſt Crimes and Rebellions. Good God! O Jeſu! that we ſhould live in ſuch an Age, in which ſuch a Prince cannot be ſafe from the ſeditious contrivances of Pardoned Rebels! Had we not the *Rye* Conſpiracy, wherein they not only deſigned to have Murthered that Moſt Bleſſed (for ſo now we may conclude him to be with God Almighty) and Gracious King, but alſo his Moſt ever Dear and Victorious Brother? Had we not the Bill of Excluſion, which our moſt Gracious King told us, he could not, without a manifeſt Infringement of the Royal Prerogatives of the Crown (which are too ſacred for us to touch) conſent to? Had we not the Curſed Counſel of *Abitophel*? Kings are God's Vicegerents on Earth, and are indeed God's on Earth, and we Repreſent them. Now when God Almighty had of his Infinite Goodneſs, called this Bleſſed Prince unto himſelf, he ſends a Prince, who aſſures us he will imitate his Royal Brother and Renowned Predeceſſor in all things, eſpecially in that of his Clemency and Mercy, and that too upon the word of a King. A King, I will aſſure you, that will not be worſe than his Word. Nay (Pardon the Expreſſion) that dare not be worſe than his Word. Which of you all, that had a Father Murthered by another, (and that deliberately too, under colour of Juſtice, which added to the Crime; and your Brother, nay your ſelves thruſt out from your Inheritance, and baniſhed from your Country; nay, that ſought your Blood likewiſe) would not when it was in your power revenge ſuch Injuries, and ruin ſuch Perſecutors. But here our moſt bleſſed Prince, whom God long preſerve, hath not only forgiven, but will venture his Life for the Defence of ſuch his Enemies? Has he not ventured his Life already, as far as any man, for the Honour of theſe Kingdoms? Nay, I Challenge this City to ſhew me any one man of it, that perchance may not be worth a Groat, that has ventured his life ſo far for the ſafety of theſe Kingdoms, as this Royal Prince hath done. Good God! what an Age do we live in! ſhall not ſuch a Prince be ſecure from the Sedition, Rebellion and Plots of Men? He is ſcarce ſeated on his Royal Throne (where God Almighty grant he may long reign) but on the one hand he is invaded by a Condemned Rebel, and Arch-traytor, who hath received the juſt reward of his Rebellion. On the other hand up ſtarts a Poppet Prince, who ſeduces the Mobile into Rebellion, into which they are eaſily bewitched; for I ſay, Rebellion is like the ſin of Witchcraft; this man who had as little Title to the Crown as the leaſt of you (for I hope all you are Legitimate) being overtaken by Juſtice, and by the goodneſs of his

Prince

Prince brought to the Scaffold, he has the confidence (good God! that men ſhould be ſo impudent) to ſay, *That God Almighty did know with what joyfulneſs he did die*, (a Traytor); having for theſe two years laſt paſt lived in all Incontinency and Rebellion, notwithſtanding the goodneſs of an Indulgent Prince ſo often to pardon him; but it is juſt like him. Rebellion (as I told you) is like the ſin of Witchcraft. For there was another which I ſhall not name, becauſe I will not trample on the duſt of the Dead, but you may remember him by the words of his Speech; he tells you, *That he thanks his God that he falls by the Ax, and not by the Fiery Trial.* He had rather (he had as good have ſaid) die a Traytor than a Bleſſed Martyr.

Great God of Heaven and Earth! what reaſon have men to Rebel! But as I told you, Rebellion is like the ſin of Witchcraft; *Fear God and Honour the King*, is rejected by People for no other Reaſon, as I can find, but that it is written in St. *Peter*. Gentlemen, I muſt tell you, I am afraid that this City hath too many of theſe People in it. And it is your Duty to ſearch them out; for this City added much to that Ships Loading; there was your *Tyly's*, your *Roe's*, and your *Wades*-men, ſtarted up like Muſbrooms, Scoundrel Fellows, mere Sons of Dunghills; theſe men muſt forſooth ſet up for Liberty and Property. A Fellow that carries the Sword before Mr. *Maior* muſt be very careful of his Property, and turn Politician, as if he had as much Property as the Perſon before whom he bears the Sword; though perchance not worth a Groat. Gentlemen, I muſt tell you, you have ſtill here the *Tyly's*, the *Roe's*, and the *Wade's*: I have brought a Bruſh in my Pocket, and I ſhall be ſure to Rub the Dirt where ever it is, or on whomſoever it ſticks. Gentlemen, I ſhall not ſtand Complementing with you, I ſhall talk with ſome of you before you and I part: I tell you, I tell you, I have brought a Beſome, and I will ſweep every Mans door, whether great or ſmall. Muſt I mention Particulars? I hope you will ſave me that trouble; yet I will hint a few things to you, that perchance I have heard of. This is a great City, and the Magiſtrates wonderful Loyal, and very forward to aſſiſt the King with Men, Money and Proviſions, when the Rebels were juſt at your Gates: I do believe it would have went very hard with ſome of you if the Enemy had entred the City, notwithſtanding the Endeavours that was uſed to accompliſh it. Certainly they had and muſt have great incouragement from a Party within, or elſe why ſhould their Deſign be on this City. Nay, when the Enemy was within a Mile of you, that a Ship ſhould be ſet on fire in the midſt of you as a Signal to the Rebels, and to amuſe thoſe within; when if God Almighty had not been more gracious unto you han you was to your ſelves; (ſo that Wind and Tyde was for you), for what I know, the greateſt part of this City had periſhed; and yet you are willing to believe it was Accident. Certainly here is a great many of thoſe men which they call *Trimmers*. A *Whig* is but a meer Fool to theſe; for a *Whig* is ſome ſort of a ſubject in compariſon of theſe; for a *Trimmer* is but a Cowardly and baſe ſpirited *Whig*; for the *Whig* is but the Journey-man-Prentice, that is hired, and ſet on in the Rebellion, whileſt the *Trimmer* is afraid to appear in the Cauſe; he ſtands at a doubt, and ſays to himſelf, I will not aſſiſt the King until I ſee who has the beſt of it; And refuſes to entertain the King's Friends for fear the Rebels ſhould get the better of it. Theſe men ſtink worſe than the worſt dirt you have in your City; theſe men have ſo little Religion, that they forget that he that is not for us is againſt us. Gentlemen, I tell you, I have the Kalender of this City here in my hand. I have heard of thoſe that have ſearched into the very ſink of a Conventicle to find

out

out ſome ſneaking Raſcal to hide their Money by night. Come, come, Gentlemen, to be plain with you, I find the dirt of the Ditch is in your Noſtrils. Good God! where am I, in *Briſtol!* this City it ſeems claims the Privilege of Hanging and Drawing amongſt themſelves; I find you have more need of a Commiſſion once a Month at leaſt. The very Magiſtrates which ſhould be the Miniſters of Juſtice, fall out one with another to that degree, they will ſcarce Dine with each other, whilſt it is the buſineſs of ſome cunning men that lye behind the Curtain to raiſe Diviſions amongſt them, and ſet them together by the Ears, and knock their Logger-heads together; yet I find they can agree for their Intereſt. Or if there be but a Kid in the caſe; for I hear the Trade of Kid-napping is of much Requeſt in this City, they can diſcharge a Felon, or a Traytor, provided they will go to Mr. *Alderman*'s Plantation at the *Weſt-Indies*. Come, come, I find you ſtink for want of Rubbing. Gentlemen, what need I mind you of theſe things? I hope you will ſearch into them, and inform me. It ſeems the Diſſenters and Phanaticks fare well amongſt you, by reaſon of the favour of the Magiſtrates; for example, if a Diſſenter, who is a Notorious and Obſtinate Offender, comes before them to be fined, one Alderman or other ſtands up and ſays, He is a good man (though three parts a Rebel); well then, for the ſake of Mr. Alderman, he ſhall be fined but 5 *s*. Then comes anothe, and up ſtands another Goodman Alderman, and ſays, I know him to be an honeſt man (though rather worſe than the former); Well, for Mr. Alderman's ſake he ſhall be Fined but half a Crown; ſo *Manus manum fricat*, You play the Knave for me now, and I will play the Knave for you by and by. I am aſhamed of theſe things: And I muſt not forget to tell you, that I hear of ſome differences amongſt the Clergy, thoſe that ought to Preach Peace and Unity to others: Gentlemen, theſe things muſt be looked into. I ſhall not now trouble you any further, there are ſeveral other things, but I expect to hear of them from you. And if you do not tell me of ſome of theſe things, I ſhall remind you of them. And I find by the Number of your Conſtables, this is a very large City, and it is impoſſible for one or two to ſearch into all the corners of it; therefore mind the Conſtables of their Duties, and call on them for their Preſentments; for I expect every Conſtable to bring in his Preſentment, or that you Preſent him. So Adjourn, *&c.*

*F I N I S.*

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Upon Affidavits read, and other Evidence againſt Sir *William Hayward* the Mayor, Alderman *Lanford* and others, for Kid-napping, there being Bills privately preferred to the Grand Jury by *John Rumſey*, and being found, he made the Mayor and the Aldermen concerned to go from the Bench to the Bar to plead to the Informations; uſing many Expreſſions, ſaying of the Mayor, See how the Kid-napping Rogue looks, *&c.*

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# THE PROCEEDINGS ON THE King's Commissions Of the PEACE, And *Oyer* and *Terminer*, and *Goal Delivery* of *Newgate*, Held for the City of *London* and County of *Middlesex*, at *JUSTICE-HALL* in the OLD-BAYLY,

515.1.2
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The 9*th*. 10*th*. and 11*th*. of *December*, 1685. *And in the* 1st. *Year of His Majesties Reign.*

THe Sessions of Peace, *Oyer* and *Terminer*, and Goal-delivery of *Newgate*; held at *Justice Hall* in the *Old-Bayly*: on *Wednesday*, *Thursday*, and *Friday*, being the 9*th*. 10*th*. and 11*th* days of *December*, 1685. Before the Right Honourable Sir *Robert Geffries* Kt. Lord Mayor of the City of *London*, Sir *Thomas Jenner* Kt. one of His Majesties Serjeants at Law, and Recorder of the aforesaid City, with others of His Majesties Justices of the Peace for *London* and *Middlesex*. The Jurors were as follow,

| London Jury, | Middlesex Jury, |
|---|---|
| *Richard Ailey*, Esq; | *John Meredale* |
| *Richard Williams* | *Benjamin Olsley* |
| *John Cannum* | *John Bayly* |
| *Patrick Barret* | *Thomas Burns* |
| *John Palmer* | *Richard Bromfield* |
| *James Rayner* | *Samuel Linn* |
| *Edward Redish* | *Edward Hempstead* |
| *George Lilburn* | *Robert Longland* |
| *Daniel Fouls* | *Samuel Bishop* |
| *Peter Floyer* | *James Fern*, |
| *Lawrence Cole* | *William Wheatly* |
| *John Cooper*. | *Thomas Phelps*. |

*The Proceedings were these*;

*Charles Bateman*, Arraigned upon an Indictment of High Treason, *For Conspiring the Death of the late King*, &c. and the Court not thinking fit to consent to any further delay, put himself upon the Jury, without making any Challenge: and the Kings Council having opened the nature of the Indictment, Mr. *Keeling* was Sworn, who proved the Plot or Conspiracy in General, how designed, and by what means and methods carried on. After which Mr. *Tho. Lee* was Sworn, and gave Evidence, that he had been sundry times with Mr. *Bateman*, and that the first time he went to him by Mr. *Goodenough*'s order, and there they discoursed about carrying on the Trayterous design, of which *Bateman* approved and promised his assistance, and was contented to manage one of the Twenty Parts into which the City was to be divided in order to an Insurrection, it being agreed that 500 men should be raised in each part, to seize the *Tower*, *City*, *Savoy*, *Whitehall*, and the Persons of the late King and his present Majesty; in order to which he promised to use his Interest. Further Mr. *Lee* deposed, that he went with him to the late D. of *Monmouth*'s House, and there having discoursed with one of the late Dukes Servants, the said *Bateman*, told him the said *Lee* that the late Duke was willing to ingage in the Design beforementioned, and kept several Horses in the Country for that intent, with much more to the same purpose.

Mr. *Goodenough* gave Evidence, that the Prisoner did approve of the design to seize the Tower, City, &c. and then to force the Guards, and seize the Person of the late King, &c. and that it was at a meeting with him, to the best of his remembrance, at the *Kings Head* in *Swithins* Alley near the Royal Exchange. Mr. *Bateman* Insisted in defence, how improbable it was that he should discourse so with *Lee* or *Goodenough*, unless he were a Mad Man; and called several persons to testifie for his honesty, and one *Baber* a Broken person, was upon the request of the Jury, against the opinion of the Court, heard after his Tryal was over and *Lee* was gone who testified against *Lee*, that a little before the Plot was discovered, he would have had him engaged to have talked of state affairs to *Bateman* and others, and joyn with him, and he would make him a great man. So that after a full and favourable hearing of all he had to offer materially in his own defence, he was found Guilty of the Treason, after the Jury had withdrawn for some time to consider of the same.

*John Bunnell* was Tryed for Killing *Daniel Walter* on the 13th. of *October* last, by giving him a Mortal Wound with a Sword near the left Pap, which upon Tryal appeared, that the Prisoner having fallen out with his own Wife, upon coming out of his House, met the party deceased, and without any provocation, pushed him, who thereupon demanded if he had a mind to be Boxed, which occasioning other words, the Prisoner went into his House and fetched his Sword, with which he assaulted the Deceased, and after much scuffling, gave him the Wound, of which the next day he Dyed. The Prisoners plea was, that he stood upon his own Defence: but the first assault being given by himself and the Deceased altogether unarmed, he was found Guilty of wilfull *Murther*.

*John Chapman* of *St. Martins* in the Fields, was Arraigned and put upon the Jury for Stealing two Coach Seats, valued at 10 *s*. the Goods of the Right Honorable the Vice-Countess *Chamberlain*: but no Evidence appearing against him, he was Acquitted.

*Richard Wells*, was Tryed for taking from one Mr. *Jones* a Receiver in the Excise Office Scrivate in *Broad street London*, 52 Guineas and 46 *l*. 2 *s*. 6 *d*. in Silver. The Evidence against him was Mr. *Jones*, who deposed, that having told out 700 *l*. for the Kings use, he laid them upon the Compter in the Office, and the Prisoner being a Coachman, coming in to do a Message from a Woman he had in his Coach, immediately upon his departure the Money mentioned in the Indictment, being in a Bag was missing, and that he conceived no other person had been there at that time; but there being no positive proof, and the Prisoner bringing some persons with whom he had Lived to testifie his honesty, he was Acquitted.

*Robert Jones* and *John Walkinton*, were Tryed upon the Coroners Inquisition, for the Murther of *John Smith* upon the Tryal it appeared, that on *November* 22*d* the Prisoners coming along *Coleman street* about 6 in the Evening, jostled the Deceased and some others in his Company; whereupon many unseemly words passed in heat between them, which occasioned the Deceased to fetch a Stick, saying, *He would be with them*, or words to that purpose, and after some further dispute, a Skirmish happened, and many Blows were struck on either part, when one Mr. *Gerves* coming in, seized *Walkinton*, and held him in his arms till another person took away his Sword; yet *Jones* and the party Deceased continued to strike at each other, till such time as they closed, and the Prisoner Underwrote found opportunity to draw his Sword, and

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gave the Deceaſed the Mortal Wound on his left ſide, of which the next Morning he Dyed. *Jones* pleaded he did it in defence of his Life, but it appearing, the Deceaſed had no Weapon about him, he was found Guilty of Manſlaughter; but by reaſon *Walkington* was ſecured and ſubmitted to thoſe that ſeized him, and by conſequence not in a poſſibility of abetting *Jones*, at the time when he Killed *Smith* he was Acquitted.

*John Claxton* was Tryed for Killing *George Pariſh* on the 14th of *October* laſt, in the Pariſh of St. *Sepulchres*, it appeared on his Tryal, that that day being the Kings Birth day, divers Youths making Bonefires in or near *Smithfield*, upon attempting to take away the Wood one Company had gotten for that purpoſe, many were knocked down, and amongſt others, the Deceaſed, upon a ſecond attack, had a Blow upon the hinder part of his Head which broke his Skull. The Evidence againſt the Priſoner was, that he threatned to have the Blood of ſome perſon, and that it was verily believed he was the perſon that had ſtruck and purſued the Deceaſed into a Houſe in *Cow-lane*, under pretence he had loſt his Hat &c. to which he pleaded Innocence, ſaying he had been much abuſed himſelf, which had occaſioned his being Blooded, and keeping his Bed, and to the ſame purpoſe he produced ſome Witneſſes; but it appearing he was ingaged in the Action, and in all probability the perſon who gave the fatal blow, the Jury brought him in Guilty of Manſlaughter.

*John Spurgeon*, and *Joan Spurgeon* his Wife, were Tryed for killing *John Aires*, on the 19th. of *November* laſt; upon the Tryal it appeared that the deceaſed coming into the Yard of the Priſoner, a quarrel began with words, and afterwards they ſtruck each other divers blows with their Sticks, and then did the like with their Swords, when *Joan Spurgeon* coming to the Aſſiſtance of her Husband, with whom *Aires* had grapled, ſhe with the pummel of *Aires* his Sword broke his head in divers places, and thereupon with the help of her husband thruſt him out of the Yard, at what time he being adviſed by one of the Witneſſes to waſh him at a pump that ſtood hard by; upon ſome provoking words, *Spurgeons* Wife fell upon him again with a Stick, and her husband coming to her aſſiſtance, after many blows run him into the Left part of the Head, ſo that the ſword pierced the Brain, of which he inſtantly dyed: The Priſoners pleaded that the deceas'd made the firſt Aſſault, and that they were both much wounded, &c. Whereupon *Spurgeon* was found Guilty of Manſlaughter, and his Wife Acquitted.

*James Griffen*, was Tryed for Stealing a ſilver Taſter, valued at two Shillings, out of the houſe of *David Clark* of *Weſtminſter*, on the 16th of *October* laſt; upon whoſe Tryal it appeared that he & another party coming into the houſe of the Proſecutor, calling for two Pots of Drink and a Quarrern of Brandy, took their opportunity to blow out the Candle and run away with the Taſter, they had with the latter, and the Servant of the houſe being poſitive that the Priſoner was one of them, he having been formerly a Neighbours man; notwithſtanding he denyed being in the houſe; he was found Guilty to the value of 10 *d.*

*Zachariah Thompſon*, of the Pariſh of St. *Botolph Aldgate*, was Tryed for breaking open the Houſe of one *Elizabeth Gucherfield*, in the Night time, and taking thence a Table-Cloth, value two Shillings, a Mantle, Apron, ſix Napkins, and a Sheet, valued at about Twenty Shillings: Upon his Tryal it was proved againſt him that on the 22th. of *October* laſt between Seven and Eight in the Evening, he was diſcovered coming out of the houſe with a Woman in his company, by a Candle he had in his hand, and that he was in a manner taken upon the place, though his Companion eſcaped with the Goods; his plea was that he came by accidentally, and that the party who purſued him falling down for haſt, he upon his calling to him to ſtay, not only did ſo, but came back to help him up; but he was found Guilty of the Felony and Burglary, the Evidence being againſt him as aforeſaid.

*Timothy Scarborough*, was Tryed for ſtealing 34 Yards of Paragon, valued at 34 Shillings, and 2 Yards and a half of Crimſon Damask, from *Richard Beeling* of St. *Pauls Covent-Garden*, on the 23d of *October* laſt: Upon whoſe Tryal it appeared that the Proſecutor had often imployed him as a Porter, and intruſted him in his houſe, whereby he had opportunity to ſteal the aforementioned Goods, which he ſending a Woman to ſell at an under rate, they were ſeiz'd, and ſhe producing him, he confeſſed it before the Juſtice, and in the Priſon, expreſſing much ſorrow for his offence, and not much denying it in Court, he was found Guilty to the value of 10 *d.* This being ſuppoſed the firſt Fact he ever committed of that nature.

The Proceedings having been thus far, on *Wedneſday* the *London* Jury was diſcharged, and on *Thurſday*, the Jury following were Sworn,

*John Wakely*
*George Reeve*
*Joſhua Sabine*
*Richard Ingman*
*Richard Auſtin*
*Job Harris*
*Martin Simpſon*
*Thomas Abby*
*Robert Sgwens*
*Gilbert Eaſt*
*Richard Newſtrap*
*Thomas Oliver.*

The Jury Sworn, the Court proceeded to try the Priſoners, &c.

*Robert Brooks* and *Charles Cuckin*, were Tryed for ſtealing Ten Gold-Rings from *Robert Ruſſel* of St. *Giles's Cripple-gate*, on the 29th. of *October*, againſt whom it appeared, that the Proſecutor and his Wife being abroad, the Priſoner in company of Three or Four more, came to cheapen a pair of Buckles, and afterward to offer a Cornelian Ring to Sale; but the Proſecutor's Daughter refuſing to ſell the one, or buy the other. *Brooks* held her in diſcourſe till the other ſtole the Rings; upon poſſitive Proof of which, they were found Guilty of the Felony: They being known to be Notorious Thieves, their plea of innocence availed them nothing.

*Iſabel Aliſon* and *Sarah Howard*, were Tryed for breaking the Houſe of *Edward Bovington*, in the Pariſh of *Alhollows Staining*, on the 29th of *June* laſt, about Five in the Afternoon; and taking thence, Two and Twenty Guineas and Ten Shillings; but the Proſecutors Evidence not agreeing, and it appearing there was a Law-Suit depending upon the Account of Defamation, the Credit of the Priſoners out-weighed it, and in the end, it appeared to be a malicious Proſecution, and therefore were Acquitted.

*Daniel Robinſon*, was Tryed for ſtealing of Pewter, as Salts, Plates, Spoons, and the like, to the value of 40 *s.* from *John Hulls*, of the Pariſh of St. *Martins Ludgate*, on the 13th. of *November*, which he diſpoſed of to divers people: It appeared that the Proſecutor being a *Pewterer*, employed the Priſoner in the nature of a Labourer, which gave him opportunity to purloine the Goods; ſome of which being ſeized where he offered them to ſale, and he apprehended, declared the reſt; and making little or no defence for himſelf in the Court, was found Guilty to the value of 10 *d.*

*Will. Hanſworth*, was Tryed for ſtealing a Bag, valued at a Penny, and 7 *l.* in Money from the perſon of *Samuel Richardſon*, upon the *Royal Exchange* in *Cornhill*; upon Tryal it appeared, that the Proſecutor on the 19. of *November* laſt, received the aforeſaid Sum, and ſoon after loſt it out of his Pocket; when applying himſelf to one of Major *Richardſon's* Men, he brought him to the place where the Priſoner was, and finding him drunk, they ſearched him, and found the Bag with moſt part of the Money in it about him; he pleaded he found it, but it being very improbable, he was found Guilty of the Robery.

*Ellenor Bettony* and *Mary Leiceſter*, were Indicted for breaking into the Houſe of *William Harding* of St. *Sepulchers*, on the 15th. of *November* laſt, about Five in the Morning, and taking thence Eleven Pewter Diſhes, Four Plates, &c. to the value of 30 *s.* the proof was, that they propoſed them to ſale, but it appearing they were employed to ſell the ſame by an unknown perſon, they were Acquitted.

*Sarah Watſon*, was tryed for Robing *Charles Gum*, on the 3 *d.* of *December*, in the Pariſh of St. *Bridgets* alias *Brides* of 3 *s.* upon her Tryal, it appeared ſhe accoſted him in a very unſeemly manner, and pick'd his Pocket, and being taken in the Fact was charged with a Conſtable, upon which, though ſhe denyed it in Court, and pretended the Proſecutor offer'd rudeneſs towards her, ſhe was brought in Guilty to the value of 10 *d.*

*Giles Hancock*, was Tryed for ſtealing a Wooden Box and 4 Shillings in mony, from *Richard Oſman* of St. *Giles's Cripple-Gate*, on the 23d. of *November* laſt: againſt whom it appeared that the Priſoner with two others in his Company, ſnatch'd it out of the ſhop of the Proſecutor over a Grate, and made away with it as faſt as they could, but the Proſecutor following them, found them ſharing the mony in the ſtreet, and had only the luck to take *Hancock*, the other two eſcaping with part of the mony, and the Box: As to a Ninepence of that mony he was poſitive, and the Priſoner found to be a pilferer, was found Guilty to the value of 10 *d.*

*Joan Martin*, was Tryed for ſtealing two Cloth Coats, valued at 20 *s.* And a pair of Breeches valued at 5 *s.* from *Richard Townſhend* of St. *Brides*, on the 30th. of *October*: Upon her Tryal it appeared that ſhe being entertained as a Lodger in the houſe of the Proſecutor, under pretence of helping his Wife to make a Bed, found an opportunity to ſteal the things mentioned, and before the Week (ſhe had payed for) was expired, abſented her ſelf, but being Apprehended about three Weeks after, and at that time endeavouring to conceal her ſelf by pulling her Hood over her eyes: She was found Guilty, yet only to the value of 10 *d.*

*Thomas Meers*, was Tryed for marrying a ſecond Wife, his former Wife being alive: Upon his Tryal it appeared he had married one *Ann Meers* Spinſter, Anno 1672. At St. *James Dukes-place*, and in 1684. one *Mary Godfry* at the Chappel in *Keatiſh Town*, as for the firſt marriage he owned it, and the other being proved by his cohabiting, and the corroborating Evidence of the Clerk of St. *Pancras*; he was found Guilty of Felony.

*Edward Hide*, *Edward Smith*, and *Edward Carter*, being Indicted

to

for Robing one *Peregrine Palmer* of a Diamond Ring, valued 8 *l.* 12 *s.* two pieces of broad Gold, four Five Shilling Pieces of Gold, a Guinea, two Silver Boxes, three pair of Silver Clasps, two Ivory Boxes, and 5 *l.* 3 *s.* in Money, in the Parish of St. *Dunstans* in the *West*, on the 6*th.* of *November* last, the former upon his Arraignment, Confessed the Indictment, but it not appearing upon Tryal, that the other two were concerned therein, they were Acquitted.

*William Trueman* was Tryed as accessary to *Edward Hide*; after the Felony Committed, and upon Tryal it appearing, part of the Goods were found in his House, and that he had offered to restore the rest, had there been no noise made about them; as likewise, that his House was a receptacle of such idle Fellows, he was found Guilty, as accessary.

*Elizabeth Miller*, Indicted for stealing a Puller, value 8 *d.* from *John Hugls* of St. *James Clarken-well*, on the 12*th.* of *July* last, and no Evidence appearing against her, she was acquitted.

*John Poor*, was tryed for stealing a Silver Tankard, value 10 *l.* on the 29*th.* of *May* last, out of *Grocers Hall*, in the Mayoralty of the Right Worshipful Sir *James Smith*; the Proof against him was, that the Butler missing the Tankard, a Warrant was issued out to apprehend divers suspicious Persons, when the Constable into whose hands it was delivered; going into *Berry-street*, upon search of a House, where such suspected persons were observed to Lodge, after some opposition he entered the Chamber where the Prisoner was in Bed, and obliged him to rise, and upon further search in a Closet he found the Tankard under the Frame of a Chair wrapped up in a Bag and a Stocking, which Bag and Stocking, the Prisoner owned to be his, but the Tankard being produced, denyed it, as he likewise did in Court, yet he appearing to be an old offender, was found Guilty of the Felony.

*Grace Lloyd*, was Tryed for stealing 149 Knots of Glaziers Lead, to the value of 14 *s.*; against her, it appeared, that she living with one *Daniel Ireland*, of the Parish of St. *Clements Danes*, had disposed of some parcels of Window Lead, and particularly one piece on the 5*th.* of *November* last, upon the sale of which, her Master came to find it out, nor did she deny it, but affirmed it was done by the order of her Mistress, and it appearing in Court, that she had disposed of that kind of Goods by the order of her Mistress, without, and conse-quently it being no Fe ony the Jury Acquitted her.

*Alice Baxter*, of the Parish of St, *Leonards Shoreditch*, was Tryed for stealing on the 16*th.* of *October* last, a Silver Cup, valued at 56 *s.* from *Henry Cruse*; in Court it was proved against her, that the Wife of the Prosecutor had taken her in out of Charity, and cloathing her, lent her Money to buy Cakes, and to sell them about the streets, but making bad returns of that kindness, she found opportunity to steal the Plate, and absent her self; but some time after being apprehended, and carried before the Justice she confessed the Fact, and that she had sold the Cup in *Lumbard-street*, but would not tell where, and not being able to deny it in Court, she was found Guilty; but it appearing to be her first Fact, the Jury compassionated her by a Mitigation of the value, finding her Guilty, within the penalty of *Petti-larceny*.

*Hugh Jones*, was Tryed for stealing 3 *Pewter* Quart Pots, on the 18*th.* of *November* last, from *Elizabeth Standish*, of the parish of St. *Andrews Holbourn*: upon his Tryal it appeared, that he coming into the House of the Prosecutor, and calling for drink, watched his time to take the Pots that stood upon a side Dresser in the Room where he was drinking, and that he was discovered e're he could make his escape, one of them being found in his Breeches, and the other as he had stowed them; to this he pleaded that he had left a thing in pawn for Drink, and came to redeem his Pledge, not with any intent to steal, nor would he confess he had the Goods laid to his charge, but the matter being plain, he was found Guilty to the value of 10 *d.*

*Robert Taylor*, Tryed for stealing a pair and two odd Shoes, from *Andrew Blanshaw* of the Parish of St. *Martins* in the Fields, on the 24*th.* of *October* last. The proof was that the Prosecutor having lost divers Shoes out of his shop, upon notice the Prisoner had gotten some odd ones, he went to see them, and thereupon own'd 'em to be part of those that were lost, and charged them upon the Prisoner, who alledged he found them upon the pavement in *Leicester-Fields*, and that he did not expose them to sale, but brought one of them to a Shoe-maker to make another to it, but giving no account of himself as to his life and conversation; he was found Guilty to the value of 10 *d.*

*Charles Bateman*, presented his humble Petition to the Court, that his Wife and Children might come to him, and be allowed the use of Pen Ink and Paper, which request was granted, and that it should be done in the presence of a Keeper *&c.*

*Leonard Bate*, a Frenchman, having an Indictment found against him for Ravishing *Dorothy England* of St *Giles's* in the Fields, the 4*th* of *November* last, a party Jury was Sworn, half Natives and half Aliens, whose Names were,

| | |
|---|---|
| *John Mridale.* | *Thomas Barns* |
| *Peter Morisco,* | *Giles Legois,* |
| *Benjamin Holiby,* | *Richard Bromfield,* |
| *Nicholas Romain,* | *James Monau,* |
| *John Baly,* | *Samuel Linn,* |
| *Charles Lassoon,* | *Lewis Le-count,* |

Upon this Jury, having pleaded not Guilty to the Indictment, he put himself upon Tryal: The Witness, *Dorothy England*, gave Evidence that the Prisoner being a Lodger in her Mistresses House, had before the grand assault and violence, (for which he stood Indicted) used her very roughly, and attempted to force her, but was prevented, and of that she complained to her Mistress, the Prisoner promised to be civil for the future, but on the 4*th.* of *November*, her Mistress, &c. Being to go abroad, she told her, she would not stay in the house with the Prisoner, whereupon he seemingly, as if he intended to go abroad likewise, but taking his opportunity, came upon her as she was making the Bed, and lock'd her in, where after much struggling, by which she was bruised, he over-powered and penetrated her body, &c. Two Midwives were likewise Sworn, who affirmed she had lost her Virginity, and as to her bad usuage, which occasioned a long sickness or indisposition, by reason of the many bruises, her Mistress gave Testimony; to ballance which, the Prisoner pleaded by his Interpreter, that he never committed that violence, and that it was a design to get mony, and that she had not discovered it in almost a fortnight, which objection being answered and further testimony of his rudeness in that house appearing, the Charge was given, the Jury withdrawing, returned within half an hour, and gave in their Verdict that he was Guilty of that Felony as layed in the Indictment.

*John Harris*, Arraigned upon an Indictment of High Treason, for that he on the fifteenth of *June* last, in St. *Martins Ironmonger-lane*, and that divers other times and places, did Conspire with *James Scot* and others, promising to be Aiding and Assisting in raising men to assist in the late Rebellion, *&c.* He pleaded not Guilty to the Indictment, and afterwards put himself upon the Jury for his Tryal, but no Evidence appearing against him he was Acquitted.

*Richard Osburn*, was Tryed for Stealing a Silver Tankard valued at 5 *l.* 8 *s.* from *William Stanton* of the Parish of St. *Sepulchres* on the 26th of *August* last, who being Apprehended, confessed he Sold it to one Mr. *Dry* a Lottery man, for four pounds fifteen shillings, fifteen shillings of which Money he played away, but in Court endeavoured to evade his Confession, saying if he had the Tankard, he Lent Money on it, and not being able to make this appear, he proceeded to alledge that the Tankard was not found in his possession, but those frivolous Excuses being rendered invalid by positive Evidence, he was found Guilty of the Felony.

*Thomas Wheatly*, being Indicted for Stealing a Tankard value three pounds from a Gentleman, in the Parish of St. *Mary Woolnath* on the 7th of *December* instant: upon his Arraignment pleaded Guilty to that and all other Indictments within the Benefit of his Clergy.

*Elizabeth Herd* alias *Racket*, was Tryed for uttering divers Irreverent, Scandalous and Seditious Words against His most Sacred Majesty, on the 17th of *November* last, as also reflecting on the Established Government, *&c.* (not fitting in this Paper to be inserted) which words being proved against her, and she appearing to be a common Prostitute, her denial weighed not with the Jury, who brought her in Guilty of the Trespass.

*Mary Jeffers*, was Tryed as the former, for uttering Irreverent, Scandalous and Seditious words against His most Sacred Majesty; upon her Tryal it appeared, she was committed by the Steward of *Westminster* for Picking a Pocket of 3 *s.* 5 *d.* to *Newgate*, when lodging in the Cellar, with some other company she, spoke the Words, which being proved against her by two Witnesses, and she making little defence for her self, the Jury found her Guilty of the Trespass.

*Mary Carew*, was Indicted for Stealing 3 Diamond Rings value 25 *l.* and a Gold Watch on the 4th of *November* from *Mary Meggs* in the Parish of St. *Martins* in the Fields, but no Evidence appearing against her, she was Acquitted.

*Ann Redman* was Tryed for Stealing a Cabiner, a Suit of Knots, and a pair of Buttons, from *Mary Dudate* of the Parish of St. *Botolph* without *Aldgate*, on the 12th of *June* last; but it appearing to be her own Cabinet which the Prosecutor said she had given her by the Prisoner, and that she was not Conscious any thing was put into it, it being then Locked, she took it as her proper Goods where she found it; the Court looking upon it as a malicious prosecution, she was Acquitted.

*Alice Garret*, was Tryed for Stealing about 30 Pieces of Coined Gold, from *John Gardner* of St. *Martins* in the Fields, on the 8th of *October*; it appeared upon Tryal, that she being a Lodger in the House, had opportunity to go to the Tunck where the Money was, and that she was one time surprized, attempting

to open it, as the Prosecutor conjectured, and the Robbery being charged upon her, she after much shifting, and many evasions confessed she had a Key she supposed would open the Trunck, and being no ways able to give any good account of her self, was found Guilty.

*Roger Harrington*, was Tryed for taking 3 Rings from *Thomas Lush*, of St. *Martins* in the *Fields* on the 25 *th* of *October*, value 30 *s.* upon his Tryal it appeared that the Prisoner searching the house of the Prosecutor for stolen Goods, and suspecting those Rings to be stolen, took them from off his Finger and afterwards produced them to the Justice: whereupon it not appearing to be a Robbery, he was Acquitted.

*Andrew Stapely* and *Daniel Taylor*, were Indicted for stealing two Hoggs, in the Parish of St *Martins* in the *Fields*, value 3 *l.* On the 17 *th.* of *October* last, from *James Page*: the former of them pleaded Guilty upon his Arraignment, to that and all other Felonys within the benefit of his Clergy; but the latter pleading not Guilty, upon his Tryal it appeared that he had sold them to one *Bisset* of *Islington*; to which he pleaded that *Stapely* was his Master and imployed him to sell them; but that not being made out, he was found Guilty, though favoured with the penalty of Petty-Larceny only.

*William Savery* of St. *Pauls Shadwel*, was Tryed for entering the house of *William Hasleburg*, on the 5 *th.* of *December* Instant, and taking thence 2 pair of Linnen Drawers and 2 Woollen Wastcoats; but he pleading he found the Goods in the street, and no proof appearing of breaking the house but that he rather took them off a Line in the Gallery or Balcony; he was found Guilty to the value of 10 *d.*

*George Smith* was Tryed for Stealing a Silver Tankard, value 3 *l.* from *Jane Philips* of the Parish of St. *Andrews Holborn* on the 20th of *November*; upon his Tryal it appeared that the Prosecutor being a Servant, was sent out for Drink in the said Tankard, and calling with it at a Tallow Chandlers Shop, whilst She was buying Candles, the Tankard was taken from the Compter by a little Boy whom the Prisoner had set on work, and that they made their Escape; to this he pleaded ignorance, but the Evidence being positive as to his being there, and giving the Boy Mony, as it was supposed, for his better incouragement, he was found Guilty of the Felony.

*William Hart*, being Arraigned for Stealing four Cocks, and four Pullets, valued at 14 *s.* from *Thomas Wilkinson* on the 14th of *October*, pleaded Guilty to the Felony.

*James Morgan*, was Tryed for breaking open the Stable of *Richard Johncock*, in the Parish of St. *Martins in the Fields*, on the 20*th.* of *November* last; and taking thence a Buff Coat lac'd with Gold and Silver, a Scarlet Cloak, a Carbine Bele, a pair of Pistols, and a Silver Fringe: On his Tryal it appeared he had confessed the Fact, and directed them to the *Pied Bull* in *Castle-Yard*, where part of the Goods were found; he alledged, he bought them of a Man in the Street, but not being capable of proving it, he was found Guilty of the Felony, and not of the Burglary: there being no proof that the Doors said to be broke open were Locked.

*John Brampston*, found guilty of Manslaughter in *January* last, for killing *Aurwiels Peircy Wiseman*, pleaded this Sessions his Majesties Pardon on his Knees, and gave the Court Papers of Gloves as is usual in such cases.

*Charles Miller* and *Elizabeth Poor*, were Tryed for stealing 7 Yards of Silk Fringe, on the 25 *th.* of *June* last, from the house of *Elizabeth Sacklin* at *Billingsgate*, valued 5 *l.* It appeared that the Prisoner coming into the house about two in the Morning, pretending they came off the Water, refusing to be below, were shewed up staires, where they continued till Two in the Afternoon, and were no sooner gone but the Frinze that incompassed the Valans of the Bed were missing; but the Prisoner producing testimony of their honest Behaviour, and no positive proof against them, they were Acquitted.

*Judith Giles*, of the Parish of St. *Botolph Aldgate*, was Tryed for Stealing a Serge Riding-Hood, value 5 *s.* from *George Dance* on the 8th of *December* instant, it appeared that the Prosecutor coming into a Goldsmiths Shop with others, to Buy a Wedding Ring, and the Prisoner being there at the same time, his Wife laid the Hood upon the Compter, which after the Prisoners going away was missing, but it neither being found upon her, though she was immediately apprehended, nor appearing she took it, the Jury Acquitted her.

*Dorothy Goreing* was Tryed for taking privily from the person of *Henry Mitchel*, a Bag and 15 *l.* in Mony in the Parish of St. *Dunstans* in the *West* on the 28th of *November*, upon Tryal it appeared that the Prosecutor being picked up by two prostitutes, was carried to one *Morgans* in *White-Fryers*, where they played upon him so long, that making him Drunk, they picked his pocket and slipped away, one of which he charged the Prisoner to be; but she denying it, and himself confessing he was in Drink, and it being proved that he was not positive therein when he was with her before the Justice, she was acquitted.

*Zachariah Smith* was Tryed for taking a Sword and a Hat from the person of *Hadis Legreen* in the Parish of St. *Dunstans* in the *West* on the 14th of *October* last, value 30 *s.* it appeared, that upon some words a Scufle happened in *Flower de Luce* Court in *Fleet-street* between the prosecutor, the prisoner, and divers others, in which the Hat and Sword were lost, but it not appearing, the prisoner had either of them, he was Acquitted.

*Francis Rawlinson* and *Elizabeth Rawlinson* were Indicted for entring the House of *Edward Bonington* on the 11th of *September* last, with an intent to Steal, to which upon their Arraignment pleading not Guilty, and no Evidence appearing to the Jury charged with them, they were Acquitted.

An Indictment being preferred against *William Davis*, *John Holland*, *Edward Hays*, and *William Price*, for Conspiracy, violence and falsly imprisoning *William Chaney* Mercer in St. *Laurence Lane London*, and only the two former being found in the Gaol of *Newgate*, viz. *Davis* and *Holland*, they were Arraigned and Tryed; upon whose Tryal it appeared, that on the 29 *th* of *November*, *Hays* and *Holland* sent for him to the *Kings-Arms* Tavern in the Lane before mentioned, where *Hays* in a seeming consternation, informed him that he had repeated some Treasonable Words that he had heard him speak, and being accused for them was forced to discover his Author, which was himself; whereupon *Holland* entering the Room, Arrested and Hurried him away to the *Crown* without *Temple-Bar*, from thence to the *Fountain* in the Savoy, where *Hays* pressed him seeing the matter might be still hush'd up, to pacifie *Holland*, (who pretended himself a Captain of the King's Guard) with mony, but he refusing, they hurried him away to *White-Hall*, pretendingly to the *Secretary of State*, and after many intreaties of *Hays* and threats of *Holland*, brought him back to the *Fountain*, where meeting with *Davis* and *Price*, who pretended himself a Barrister, they called up a Scrivener about Midnight, and extorted a Bond and judgment from him, the Penalty 400 *l.* to pay 200 *l.* Which were likewise signed by *Hays*; but the Cheat being discovered upon *Hollands* sending for 20 *l.* and some Silks, the Prisoners were Apprehended, and upon this proof (though more at large) found Guilty.

*William Davis* and *John Holland*, were a second time Indicted together with *Agnes Wearing*, for a Burglary and Robery Committed in the House of *Leonel Gatford* in *Lime street*, *London*, on the 11*th.* of *September*, stealing Rings, plate, and Money, to the value of 300 *l.* which upon Tryal, appeared that two persons about Seven in the Afternoon, coming to Mr. *Gatfords* House, who being let in by *Wearing*, who was a Servant in the House, and pretending a Letter to Mrs *Gatford*, and she scrupling to admit them, one of them who appeared to be *Davis*, run up Stairs and seizing her with violence, ty'd her Coat over her head, and then calling his Companion by the name of *Jack*; they rifled the House, and having seized the Maid and Mistress carried them into the Celler, and there bound them, and so departed with many threats if they stir'd; but soon after, the goods being published in the *Gazette*: The Thieves were discover'd by the means of a Diemond Ring, which *Davis* had given to one Mrs. *Walton*, and a Wedding Ring he had on his Finger with the posie mentioned in the *Gazette*, by one *Margaret Harris*, a Servant to Mrs. *Walton*, as also by one Mr *Hamlin*, whom *Agnes Wearing* taking in the dark for *Davis* unawares, asked him if the plate was secure, if they had shared the plate and Money, and if *Holland* was safe, demanding how he durst appear, desired him to be gone, least he ruin both himself and her, so that by this and many other material matters; it appearing that *Davis* and *Holland* were the two men that committed the Robery, and *Agnes Wearing* their Confederates; they were all three found Guilty.

These being the Summ of the Tryals &c. The Court proceeded to Sentence.

Burnt in the Hand Ten, *viz.*

*Robert Jones*; *John Claxton*, *Charles Cuckter*, *Thomas Meers*, *Edward Hide*, *John Poor*, *Thomas Wheatley*, *John Spurgeon*, *William Hart*, and *John Morgan*.

Ordered to be Tranported Four, upon their desiring the same *viz.*

*Robert Brooks*, *Richard Osbourn*, *Andrew Staply*, and *George Smith*.

Received Sentence of Death Nine. *viz.*

*Charles Bateman*, for High-Treason, *William Hainsworth*, *William Davis*, *John Holland*, *Agnes Wearing*, *John Banwell*, *Zacharish Thompson*, *Leonard Bate*, and *Alice Garret*; the latter pleading her Belly, proved to be with Child.

Sentenced to be Whipp'd, as Petilarcenaries, Eleven, *viz.*

*Sarah Watson*, who was ordered to be Whip'd from *Ludgate* to *Charing-Cross* on *Wednesday* next. *Daniel Robinson*, *Giles Hancocks*, *Joan Martin*, *James Griffin*, *Hugh Jones*, *Robert Taylor*, *Timothy Scarbrough*, *Daniel Taylor*, *Ann Baxter*, and *William Savory*.

For speaking Scandalous Words, &c.

*Mary Jeffers* Fined 10 *s.* and to stay in *Bridewel* till the next Sessions. *Elizabeth Herd* Fined 10 *s.* and to be Whip'd upon *Wednesday* next.

The Proceedings having been thus far, The Court Adjourned to the 19 *th.* Instant.

GOD SAVE THE KING.

*This may be Printed*, December *the* 17*th.* 1[illegible] R. [illegible] S.

*London*, Printed by E. *Mallet* for R. *Mallet*, 168[illegible]

253

H. 742. vid. H22.

# THE TRYAL

OF

515. L. 2.
112

L. Hampden (J.)

## John Hambden, Gent.

FOR CONSPIRING

## The Death of the King,

And raiſing a

# REBELLION

In THIS

# KINGDOM:

At the *Seſſions-Houſe* in the *Old-Bayly*, *London*, on a Commiſſion of *Oyer* and *Terminer* held there for the City of *London* and County of *Middleſex*, on *Wedneſday the 30th.* of *December*, 1685. Together with his Sentence of Death.

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*LONDON*; Printed by *E. Mallet* for *D. Mallet*, 1685

THE

# TRYAL

OF

# John Hambden, Gent.

FOR

# HIGH-TREASON

IN CONSPIRING

## The Death of the King, &c.

THis day being appointed for the Tryal of Mr. *Hambden*. After the Judges came to the Court, and the Court was called, the Officer was commanded to proceed to call over the *Jury* whilst Mr. *Hambden* was bringing down.

*Cryer.* O Yes, you good men of the County of *Middlesex*, Summoned to appear here this day, to try the Issue which shall be between our Soveren Lord the King, and the Prisoner that shall be call'd to the Bar, answer to your Names as they shall be called, every one at the first call, upon Pain, and Peril that shall fall thereon.

*Clerk.* Sir *Hugh Middleton* of *Twittenham*, Barronnet.
Sir *Richard Dunton* of *Thistleworth*, Knt.
Sir *John Berry* of *Stepney*, Knt.
Sir *Robert Clark* of *Holborn* Knt.
Sir *Thomas Re* of the *Strand*, Knt.
Sir *John Friend* of *Hackney*, Knt.
Sir *Henry Johnson* of *Hackney*, Knt.
*Richard Moseley* of *Chelsey*, Esq;
*John Shales* of the Parish of St. *Martins* in the Fields, *Esq*;
*Robert Fosset* of *Mailone*, Esq;
*Josias Clark* of *Chiswick*, Esq,
*John Foster* of *Kensington*, Esq;
*Jeffery Nightingale* of *Cripplegate*, Esq;
*William Cleve* of the same, *Esq*;
*Charles Hinton* of *Convent-Garden*, Esq;
*John Stokes* of *Huxton-Garden*, Esq,
*Henry Hawly* of *Brainford*, Esq;
*Thomas Cash* of *Bow*, Esq;
*Andrew Lawrence* of the Parish of St. *Martins* in the Fields.
*Nehemiah Arnold* of *Westminster*, Esq;
*Simon Smith* of the same, *Esq*;
*William Pressgrave* of the same, *Esq*
*Nicholas Barter*, of the Parish of St. *Martins* in the Fields *Esq*;
*Humphrey Bradshaw* of the *Savoy*, Esq;
*Gilbert Herring* of the Parish of St. *Martins* in the Fields *Esq*,
*Walter Bridall* of the same, *Esq*;
*Thomas Elton* of *Stepney*, Esq;
*Matthew Bateman* of *White Chappel*, Esq;
*Thomas Coates* of the Parish of St. *Clements Dane*, Esq,
*Peter Lugg* of the Parish of St. *Giles's* in the Fields *Esq*;
*John Mordant* of St. *Giles's* in the Fields, *Gent.*
*James Suppl.* of the Parish of St. *Martins* in the Fields, *Gent.*
*Thomas Whitfield* of the same *Gent.*
*Richard Cook* of the same, *Gent.*
*George Chisey* of the same, *Gent.*
*John Hains* of the same.
*John Leeson* of the same.
*Richard Bromfield* of *Holborn*, Gent.
*Michael Dod* of *Clerkenwell*, Gent.
*James Fern* of the Parish of St. *Martins* in the Fields, *Gent.*
*Robert Brook* of the same, *Gent.*
*John Vigures* of *Westminster*, Gent.
*Edmund Aubrey* of the Parish of St. *Martins* in the Fields *Gent.*
*John Canon* of the Parish of St. *Giles's* in the Fields, *Gent.*

*John*

*John Baily* of the ſame.
*Thomas Barnes* of the ſame.
*Francis Edmunds* of the ſame.
*Robert Longland* of the ſame.
*Edward Hampſted* of the ſame.
*Thomas Hinton* of the ſame, *Gent.*
*Joſeph Bleſſet* of *White-Chappel*, Gent.
*Zechariah Grant* of the ſame.
*Richard Fitz-Gerrard* of the Pariſh of St. *Martins* in the Fields.
*Benjamin Bolby* of St. *Giles's* in the Fields.
*Richard Dorrel*, of the *Savoy*, Gent.
*Anthony Hall* of the *ſame.*
*Stephen Phillips* of the Pariſh of St. *Martins* in the Fields.
*William Steven* of the ſame.
*John Davis* of the ſame.
*Richard Hutchinſon* of the ſame.
*Anthony Nurſe* of *Fulham*, Gent.
*Robert Moor* of the Pariſh of St. *Clements Danes*, Gent.
*Samuel Peacok* of *Weſtminſter*, Gent.
*Richard Boiſe* of the ſame.
*Samuel Birch* of the ſame.
*Peter Reeve* of the ſame.
*Thomas Hutchins* of the ſame, *Gent.*
*John Hewlet* of *Weſtminſter*, Gent.
*John Towers* of *Covent-Garden*, Gent.
*Richard Aubrey* of *White-chappel*, Gent.
*John Wells* of *Maribone*, Gent.
*William German* of St. *Clement Dane*, Gent.
*Thomas Harris* of *Holbourn*, Gent.
Bar. *Parr* of *Eaſt-Smithfield*, Gent.
*John Caſſels* of the Pariſh of St. *Martins* in the Fields *Gent.*
*Samuel Biſhop* of St. *Clement Danes*, Gent.
*William Wheatly* of the Pariſh of St. *Giles's* in the Fields, *Gent.*
*Chriſtopher Chambers* of the ſame.
*Samuel Brown* of the ſame.
*Benjamin Dun* of the *Savoy.*
*Samuel Jewel* of the ſame.
*Hugh Hammerſley* of the ſame.
*Abraham Harriſon* of the *Strand*, Gent.
*Thomas Nichols* of *Pancrage*, Gent.
*William Dean*, of the Pariſh of St. *Martins* in the Fields, *Gent.*
*Thomas Parnel* of the ſame.
*Matthias Cooper* of the ſame, *Gent.*
*William Merchant*, of the ſame, *Gent.*
*Richard Champion* of the ſame, *Gent.*
*Simon Smith* of *Woodſtreet Weſtminſter*, Gent.
*Thomas Green* of *Weſtminſter*, Gent.

*Clerk.* Set *John Hambden* to the Bar. ( Which was done. )
*John Hamden* hold up thy hand. ( Which he did. )

Middleſex THE Jurors *for our Sovereign Lord the King, upon their Oaths preſent, that* John Hambden, *late of the Pariſh of St.* Giles's *in the Fields, in the County of* Middleſex, Gent. *as a falſe Traytor, againſt the moſt Illuſtrious and Excellent Prince, our Lord,* Charles *the Second, late King of* England, Scotland, France *and* Ireland, *Defender of the Faith, thy Natural Lord; the fear of God in thy Heart not having, nor the Duty of thy Allegience any ways weighing; but being moved and ſeduced by the inſtigation of the Devil, the Cordial Love, and True Due and Natural Obedience, which a True and Faithful Subject of our ſaid late Lord the King, towards him our ſaid late Lord the King of Right, ought to bear, wholly withdrawing; and Imagining, Practicing, and with thy whole ſtrength, intending the Peace and common Tranquillity of this Kingdom of* England *to diſquiet, moleſt, and diſturb, and War and Rebellion againſt our ſaid late Lord the King, within this his Kingdom of* England *to ſtir up, move, and procure, and the Government of our ſaid late Lord the King, of this his Kingdom of* England *to ſubvert, change and alter; and our ſaid late Lord, the King, of the Title, Honour, and Royal Name, of the Imperial Crown of this his Kingdom of* England *to depoſe and deprive: And him our ſaid late Lord the King, to Death and final Deſtruction to bring and put, the* 20th. *Day of* July, *in the Year of the Reign of our ſaid late Lord the King,* Charles *the Second of* England *&c. the* 35th *and divers other days and times, as well before as after, at the Pariſh of St.* Giles's *in the Fields, in the County of* Middleſex, *Falſely, Maliciouſly, Deviliſhly, and Traytorouſly, with divers other falſe Rebels and Traytors unknown, did Conſpire, Compaſs, imagine, and intend our ſaid late Lord the King, then thy Supream and Natural Lord; not only of his Royal State, Title, Power, and Government of this his Kingdom of* England, *to deprive and caſt down, but alſo our ſaid late Lord the King, to kill, and to Death, to bring and put, and the Antient Government of this Kingdom of* England *to change alter, and wholly to ſubvert; and a miſerable Slaughter amongſt the Subjects of our ſaid late Lord the King, through his whole Kingdom of* England, *to cauſe and procure an Inſurrection and Rebellion, againſt our ſaid late Lord the King, within his Kingdom of*

England

England *to procure, and theſe thy Wicked, Abominable and Deviliſh, Treaſons and Traytorous Conſpiracies, Compaſſings, Imaginations and Purpoſes aforeſaid, to fulfill perfect and bring to paſs. Thou the ſaid* John Hambden *as a falſe Traytor, then and there, (to wit) the ſaid* 20th. *Day of* July, *in the Year of the Reign of our ſaid late Lord the King,* 35*th. aforeſaid, and divers other days and times, as well before as after; at the Pariſh of* St. Giles's *in the Fields aforeſaid, in the ſaid County of* Middleſex, *falſely, Unlawfully, Wickedly, Deviliſhly, and Traytorouſly, with* James *late Duke of* Monmouth, *and divers other Falſe Traytors unknown: Did aſſemble your ſelf, meet together and Conſult, and Conſent to move and procure divers great Sums of Money, and a great Number of Men Armed, to War and Rebellion, againſt our ſaid late Lord the King, within this Kingdom of* England, *Traytorouſly to levy and make againſt the Duty of thy Allegiene, and againſt the Peace of our ſaid late Lord the King, and againſt our Lord the King that now is, their Crown and Dignity, and againſt the Form of the Statutes in that Caſe made and provided,* &c.

Mr. *Hambden.* My Lord, *I* perceive that *I* am here indicted for a Fact, for which *I* was indicted above two years ago, and *I* was Convicted of it, and did ſuffer impriſonment in Execution upon the Judgment that was given againſt me, and am ſtill under Execution for the Fine that was ſet upon me by way of puniſhment for that Fact. *I* think, my Lord, *I* have as much to ſay in point of Law for my ſelf, as any Priſoner that ever came before your Lordſhip upon ſuch an Accompt, twice Tryed, twice Convicted, and twice Puniſhed, for the ſame Fact muſt be very extraordinary, but, my Lord *I* do paſs by all Pleas whatſoever, and caſt my ſelf wholly upon the King's Mercy; that is my reſolution, my Lord.

L. C. J. Then you muſt plead Guilty or not Guilty. But you ſay you have been Tryed twice for the ſame Fact, were you ever Tryed for High-Treaſon before? The very puniſhment that you alledge to be inflicted upon you for it, is a plain proof that you were not Tryed for High Treaſon, for that is not uſually puniſhed by Fine and Impriſonment.

Mr. *Hambden.* My Lord *I* only inſinuate that the Fact is the ſame.

L. C. J. You muſt plead Guilty or not Guilty.

*Clerk.* Are you Guilty or not Guilty of the High-Treaſon, whereof you ſtand indicted, *John Hambden*?

L. C. J. You muſt plead directly; ſay you are Guilty, or you are not Guilty.

Mr. *Hambden.* My Lord, *I* do plead Guilty to the *Indictment.*

Will your Lordſhip be pleaſed to hear me: My Lord, *I* do confeſs my offence againſt the King is very great, *I* am very ſorrowful for it. My Lord, *I* know the King is the Fountain of Mercy as well as Juſtice, an inexhauſtible Fountain of Mercy, and if *I* may be ſo happy to obtain your Lordſhips interceſſion to his Majeſty on my behalf; *I* doubt not but that Grace and Goodneſs which hath been extended to others, may be beſtowed upon me.

*L. C. J.* Mr. *Hambden*, as the King is the Fountain of Mercy, ſo it comes freely from him; I confeſs as the circumſtances of your caſe are, you have pleaded the beſt plea to find mercy, but how far the pleading guilty when there is full evidence to prove you ſo, may move the King to have mercy upon you I don't know; you muſt apply your ſelf to the King.

Mr. *Hambden*, I humbly beg your Lordſhips interceſſion, I know none can do it better than your Lordſhip.

*L. C. J.* You muſt record the Plea.

Mr. *Hambden.* My Lord, I humbly beg your Lordſhip that you would be pleaſed to repreſent to his Majeſty what my paſt ſufferings have been and how ſorrowful I am for having offended his Majeſty, and that your Lordſhip would be pleaſed to beg his Majeſties gracious pardon in my behalf, I humbly beſeech your Lordſhip to do it, and it ſhall be the endeavour of all my life to behave my ſelf as dutiful and loyal Subject as any the King hath.

*L. C. J.* The King ſhall have an account of what you ſay.

Mr. *Hambden:* My Lord there is one thing I would humbly beg the Liberty for, there are words in the Indictment concerning the death of the King, my Lord what conſtruction the Law may put upon ſuch an Action I am a ſtranger of, but for any direct intention of taking away the life of the King, no man does abominate and abhor it more than I have done.

*L. C. J.* Mr. *Hambden*, it is but a neceſſary conſtruction that the Law puts upon it, it is a conſtruction confirmed by woful experience, we ſee that Rebellion, let the beginning be what it will, never ſtops, unleſs by God's great mercy and the Juſtice of the King's Cauſe, but it will end in the death of the King, it hath a natural tendency that way, but however you are underſtood that you had not any thoughts of killing the King, but only to raiſe Rebellion within the Kingdom, which muſt neceſſarily end in the death of the King.

John Baily of the ſame.
Thomas Barnes of the ſame.
Francis Edmunds of the ſame.
Robert Longland of the ſame.
Edward Hampſted of the ſame.
Thomas Hinton of the ſame, *Gent.*
Joſeph Bliſſet of *White-Chappel*, Gent.
Zechariah Grant of the ſame.
Richard Fitz-Gerrard of the Pariſh of St. *Martins* in the Fields.
Benjamin Bolby of St. *Giles's* in the Fields.
Richard Dorrel, of the *Savoy*, Gent.
Anthony Hall of the *ſame.*
Stephen Phillips of the Pariſh of St. *Martins* in the Fields.
William Steven of the ſame.
John Davis of the ſame.
Richard Hutchinſon of the ſame.
Anthony Nurſe of *Fulham*, Gent.
Robert Moon of the Pariſh of St. *Clements Danes*, Gent.
Samuel Peacok of *Weſtminſter*, Gent.
Richard Boiſe of the ſame.
Samuel Birch of the ſame.
Peter Reeve of the ſame.
Thomas Hutchins of the ſame, *Gent.*
John Hewlet of *Weſtminſter*, Gent.
John Towers of *Covent-Garden*, Gent.
Richard Aubrey of *White-chappel*, Gent.
John Wells of *Maribone*, Gent.
William German of St. *Clement Dane*, Gent.
Thomas Harris of Holbourn, Gent.
Bar. Parr of *East-Smithfield*, Gent.
John Caſſels of the Pariſh of St. *Martins* in the Fields *Gent.*
Samuel Biſhop of St. *Clement Danes*, Gent.
William Wheatly of the Pariſh of St. *Giles's* in the Fields, *Gent.*
Chriſtopher Chambers of the ſame.
Samuel Brown of the ſame.
Benjamin Dun of the *Savoy.*
Samuel Jewel of the ſame.
Hugh Hammerſley of the ſame.
Abraham Harriſon of the *Strand*, Gent.
Thomas Nichols of *Pancrage*, Gent.
William Dean, of the Pariſh of St. *Martins* in the Fields, *Gent.*
Thomas Parnel of the ſame.
Matthias Cooper of the ſame, *Gent.*
William Merchant, of the ſame, *Gent.*
Richard Campion of the ſame, *Gent.*
Simon Smith of *Woodſtreet Weſtminſter*, Gent.
Thomas Green of *Weſtminſter*, Gent.

*Clerk.* Set *John Hambden* to the Bar. ( Which was done. )
*John Hamden* hold up thy hand. ( Which he did. )

Middleſex THE Jurors *for our Sovereign Lord the King, upon their Oaths preſent, that* John Hambden, *late of the Pariſh of St.* Giles's *in the Fields, in the County of* Middleſex, Gent. *as a falſe Traytor, againſt the moſt Illuſtrious and Excellent Prince, our Lord,* Charles *the Second; late King of* England, Scotland, France *and* Ireland, *Defender of the Faith, thy Natural Lord; the fear of God in thy Heart not having, nor the Duty of thy Allegience any ways weighing; but being moved and ſeduced by the inſtigation of the Devil, the Cordial Love, and True Due and Natural Obedience, which a True and Faithful Subject of our ſaid late Lord the King, towards him our ſaid late Lord the King of Right, ought to bear, wholly withdrawing; and Imagining, Practicing, and with thy whole ſtrength, intending the Peace and common Tranquillity of this Kingdom of* England *to diſquiet, moleſt, and diſturb, and War and Rebellion againſt our ſaid late Lord the King, within this his Kingdom of* England *to ſtir up, move, and procure, and the Government of our ſaid late Lord the King, of this his Kingdom of* England *to ſubvert, change and alter; and our ſaid late Lord, the King, of the Title, Honour, and Royal Name, of the Imperial Crown of this his Kingdom of* England *to depoſe and deprive: And him our ſaid late Lord the King, to Death and final Deſtruction to bring and put, the* 20th. *Day of* July, *in the Year of the Reign of our ſaid late Lord the King,* Charles *the Second of* England *&c. the* 35th *and divers other days and times, as well before as after, at the Pariſh of* St. Giles's *in the Fields, in the County of* Middleſex, *Falſely, Maliciouſly, Deviliſhly, and Traytorouſly, with divers other falſe Rebels and Traytors unkown, didſt Conſpire, Compaſs, imagine, and intend our ſaid late Lord the King, then thy Supream and Natural Lord; not only of his Royal State, Title, Power, and Government of this his Kingdom of* England, *to deprive and caſt down, but alſo our ſaid late Lord the King, to kill, and to Death, to bring and put, and the Antient Government of this Kingdom of* England *to change alter, and wholly to ſubvert; and a miſerable Slaughter amongſt the Subjects of our ſaid late Lord the King, through his whole Kingdom of* England, *to cauſe and procure an Inſurrection and Rebellion, againſt our ſaid late Lord the King, within his Kingdom of* England

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Mr. *Hambden.* My Lord, *I* perceive that *I* am here indicted for a Fact, for which *I* was indicted above two years ago, and *I* was Convicted of it, and did ſuffer impriſonment in Execution upon the Judgment that was given againſt me, and am ſtill under Execution for the Fine that was ſet upon me by way of puniſhment for that Fact. *I* think, my Lord, *I* have as much to ſay in point of Law for my ſelf, as any Priſoner that ever came before your Lordſhip upon ſuch an Accompt, twice Tryed, twice Convicted, and twice Puniſhed, for the ſame Fact muſt be very extraordinary, but, my Lord, *I* do paſs by all Pleas whatſoever, and caſt my ſelf wholly upon the King's Mercy; that is my reſolution, my Lord.

L. C. J. Then you muſt plead Guilty or not Guilty. But you ſay you have been Tryed twice for the ſame Fact, were you ever Tryed for High-Treaſon before? The very puniſhment that you alledge to be inflicted upon you for it, is a plain proof that you were not Tryed for High Treaſon, for that is not uſually puniſhed by Fine and Impriſonment.

Mr. *Hambden.* My Lord, *I* only inſinuate that the Fact is the ſame.

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*Clerk.* Are you Guilty or not Guilty of the High-Treaſon, whereof you ſtand indicted, *John Hambden*?

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Mr. *Hambden.* My Lord, *I* do plead Guilty to the *Indictment.*

Will your Lordſhip be pleaſed to hear me: My Lord, *I* do confeſs my offence againſt the King is very great, *I* am very ſorrowful for it. My Lord, *I* know the King is the Fountain of Mercy as well as Juſtice, an inexhauſtible Fountain of Mercy, and if *I* may be ſo happy to obtain your Lordſhips interceſſion to his Majeſty on my behalf; *I* doubt not but that Grace and Goodneſs which hath been extended to others, may be beſtowed upon me.

*L. C. J.* Mr. *Hambden*, as the King is the Fountain of Mercy, ſo it comes freely from him; I confeſs as the circumſtances of your caſe are, you have pleaded the beſt plea to find mercy, but how far the pleading guilty when there is full evidence to prove you ſo, may move the King to have mercy upon you I don't know; you muſt apply your ſelf to the King.

Mr. *Hambden*, I humbly beg your Lordſhips interceſſion, I know none can do it better than your Lordſhip.

*L. C. J.* You muſt record the Plea.

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*L. C. J.* The King ſhall have an account of what you ſay.

Mr. *Hambden:* My Lord there is one thing I would humbly beg the Liberty for, there are words in the Indictment concerning the death of the King, my Lord what conſtruction the Law may put upon ſuch an Action I am ignorant of, but for any direct intention of taking away the life of the King no man does abomi nate and abhor it more than I have done.

*L. C. J.* Mr. *Hambden*, it is but a neceſſary conſtruction that the Law puts upon it, it is a conſtruction confirmed by woful experience, we ſee that Rebellion, let the beginning be what it will, never ſtops, unleſs by God's great mercy and the Juſtice of the King's Cauſe, but it will end in the death of the King, it hath a natural tendency that way, but however you are underſtood that you had not any thoughts of killing the King, but only to raiſe Rebellion within the Kingdom, which muſt neceſſarily end in the death of the King.

Mr. *Hambden.* My Lord no man doth more abhor that than I do.

*L. C. J.* You may ask Mr. *Hambden* if he hath any thing to say why Sentence of death should not pass upon him.

*Clerk. John Hambden* hold up thy hand. Thou standest Convicted of High Treason by your own Confession, what can you say for your self why Sentence of Death should not pass upon you.

Mr. *Hambden.* My Lord, I humbly cast my self upon the Kings mercy. My Lord, I would humbly move your Lordship in one thing, that I may have the liberty of my Friends and Relations to come to me in Prison as they did before.

*L. C. J.* You must apply your self to the King.

Mr. *Hambden.* Will your Lordship be pleased to order it, my Lord; I had two or three of my own Relations the King was pleased to grant to come to me.

*L. C. J.* It is easie for you Mr. *Hambden*, to make your Application to the King, it will be better for you: I direct it as the better way to apply your self to the King.

Mr. *Hambden.* I only beg it my Lord.

*L. C. J.* In the presence of a Keeper I don't know why his Relations should not come to him, but I think it had been better to apply your self to the King.

Mr. *Hambden.* My Lord, I have two or three near Relations allowed to be without the presence of a Keeper.

*L. C. J.* Mr. *Hambden* that we cannot do, that was an extraordinary favour, and as that came from the King, so you must apply your self to the King again, but in the presence of a Keeper we can grant it, we cannot grant it without a Keeper, if you will apply your self to the King for that you may.

*Cryer.* Gentlemen of *Middlesex*, that have been Summon'd upon the Kings Service this day, the Court discharges you. Then after the Judges did withdraw, the Clerk was Commanded the Court to proceed.

*Clerk. John Hambden* hold up thy hand. You stand Convicted of High Treason by your own Confession, what can you say for your self, why the Court should not pronounce Sentence upon you?

Mr. *Hambden.* I only plead the King's mercy. I rely upon no other thing.

*Cryer.* Oyes, all manner of persons are commanded to keep silence whilst Judgment is giving upon pain of imprisonment.

Mr *Recorder.* Mr. *Hambden*, you have been Indicted for High Treason, and the Indictment hath been read to you, and whereupon according as the Law doth require, it hath been demanded of you, that you should plead to it, and thereupon you have pleaded guilty to this Indictment which is recorded accordingly, and therefore I need not say any thing for to let you know the heinousness of this crime, for I perceive you are sensible enough of it your self, and I do verily believe you have taken a very wise and discreet course to confess the truth, for you were brought hither to be tryed for this crime in case you had pleaded not guilty to this Indictment, which now you have prevented by this your canded confession, however it is the duty of my place to pronounce the Judgment that the Law hath provided for such crimes as these are, and that is this,

*You must be had to the place from whence you came, and from thence you must be drawn to the place of Execution, and there you are to be hanged by the Neck, and whilst you are alive you must be cut down, and your entrails be taken out, and burnt before you, and your head must be cut off, and your body quartered, and your head and your quarters to be disposed of at the King's pleasure, and the Lord have mercy upon your Soul.*

Mr. *Hambden.* My Lord, I hope I shall have your Lordships intecession with his Majesty.

Mr. *Recorder.* I don't doubt, Mr. *Hambden*, but you have used the best means to obtain so great a favour, and as it is the duty of my place to give an account of this unto his Majesty, so I shall truly and faithfully represent it with the advantages your demeanor this day hath deserv'd

Mr. *Hambden.* My Lord, I humbly beg the favour that my Wife may come to me without the presence of a Keeper.

Mr. *Recorder.* Mr. *Hambden*, 'tis too late for us to give any directions in this matter, because you asked this while the Judges were here, but I don't doubt upon your Application to his Majesty but you will have all things that you can reasonably desire, if you please to apply your self to him for this and what else you shall be advised may be fiting and convenient for you to beg.

FINIS

*This may be Printed,* R. L. S.
December *the* 30*th.* 1685.

K. Middlesex Sessions. THE Old-Bailey. 226

# PROCEEDINGS
ON THE
# King's Commissions
Of the PEACE,
And *Oyer* and *Terminer*, and *Goal Delivery* of *Newgate*, Held for the City of *London* and County of *Middlesex*, at *JUSTICE-HALL* in the
# OLD-BAYLY,

515. L. 113

The 15*th*. and 16*th*. of *January*, 1685. *And in the First Year of His Majesties Reign.*

THe Sessions of Peace, *Oyer* and *Terminer*, and Goal Delivery of *Newgate*; held at *Justice-Hall* in the *Old-Bayly*; on *Friday* and *Saturday*, being the 15*th* and 16*th* days of *January*, 1685. Before the Right Honourable Sir *Robert Jefferies* Kt. Lord Mayor of the City of *London*, Sir *Thomas Jenner* Kt. one of His Majesties Serjeants at Law, and Recorder of the aforesaid City, with others of His Majesties Justices of the Peace for *London* and *Middlesex*. The Jurors were as follow,

| London Jury, | Middlesex Jury. |
|---|---|
| *James Woods* | *John Cannon* |
| *Thomas Lowfield* | *Isaac Jaxon.* |
| *Bernard Minn* | *Richard Hunt* |
| *William Baxter* | *Thomas Thorn* |
| *Thomas Jenne* | *Richard Thornton* |
| *Samuel Hankey* | *Robert Trego* |
| *Kenlem Smith* | *Thomas Minchin* |
| *Mathew Walker* | *John Sawyer* |
| *Thomas Medcalf* | *Thomas Heydon* |
| *Gabriel Smith* | *Benjamin Donne* |
| *Alexander Pollington* | *Edmund Wansal* |
| *Robert Buggins* | *John Bradshaw* |

*The Proceedings were as follow*, viz.

*Thomas Drew* of St. *Giles's Cripple-Gate* was Tryed upon the Coroners Inquest, for Killing *Richard Savage* on the first of *January* last; upon whose Tryal it appeared, that the Prisoner keeping a Victualig-House, intruded into the Company of the Deceased, who came thither to Drink, and some words arising, the Deceased endeavoured to thrust the Prisoner who was then in Drink and somewhat troublesome) out of the Room, and did push him behind a Table where he sat, to remove him; when the Prisoner having a Tobacco-Pipe in his hand, unfortunately struck it into the left Nostril of the Deceased, to the length of Four Inches which breaking in his Head by the space of Two Inches bearing upon the Brain, of that Wound he Dyed on the 6*th*. of *January*. The Prisoner pleaded it was by Accident, that he was in drink; and that he always had a kindness for the Deceased, so that no former Malice appearing, but the contrary, and that the Deceased was the Agressor: The Jury found it Manslaughter only.

*Elizabeth Draper*, was Tryed for stealing a Ring valued at 24 *s*. on the 20*th*. of *December* last, in the Parish of St. *Mary Bow* from *John Hobs*: Upon Tryal *Hobs* deposed, that coming from *Bosoms-Inn*, he met a Woman and took her by the hand, who slipping her hand out of his, he presently missed his Ring, and saw the Prisoner, though he was doubtful whether it was the same Woman he had by the hand, giving something to one of her Consorts; whereupon he apprehended her, but not finding the Ring about her, and she pleading Innocence, the Jury acquitted her.

*John Convers* was Tryed upon the Coroners Inquest, and on an Indictment at Common-Law for Killing Major *Wadden*; Upon the Tryal it appeared, That on the first of *June* last he coming into the Company of the Deceased by the means of one Mr. *Rogers* a Friend of his at the *Green-Dragon* Tavern in *Fleet-street*, some hot words passed between him and the Deceased, occasioned by a discourse that happened in relation to Wagers, insomuch that the Prisoner threw a Candlestick at the Deceased, whereupon and through some other provocation, they both started up and drew their Swords, and e're they could be prevented, Mr. *Wadden* received a Wound in his Hand and another near the left Pap 4 Inches deep, of which he died the 2. of *June*. The Prisoner pleaded that he drew his Sword in defence of his Life, and that the Deceased pressing to close with him, run upon his Sword; And it not appearing they

they had ever seen each other before that unhappy time, and that the Mischief happened through a suddain heat, the Jury found it Manslaughter.

*Ames Spencer* of St. *James's Westminster*, was Tryed for stealing a Guinea from *Gilbert Edwards*, with whom she lived in the nature of a Servant, on the 10th of *December* last. Upon Tryal it appeared that the Prosecutor missing the Guinea out of his Trunk where with 9 more it had been under Lock and Key, and charging his Wife with taking it, she denied it, and possessed him with a belief that his Maid had it, and therefore carrying her before the Justice, she confessed she had it, and took it to satisfie a Man into whose debt she had run during her being out of Service, and that to get it, she took the opportunity of her Masters leaving his Keys in a Closet door where the Trunk stood, whilst he was at Dinner; but she denying it in Court, and that Confession look'd upon as the effects of Fear, she was Acquitted.

*John Collard* was Tryed for stealing a Perrewig value 5 *s.* on the 20th of *December* last, from *Christopher Wetter* of St. *Martins in the Fields*; Upon Evidence it appeared, that he, with two of his Accomplices, attempting to steal the Money-box out of an Alehouse Bar, and the Woman of the House upon their discovery and fight crying out, stop Theif, the Prosecutor endeavoured to do it, at what time scuffling with them his Wig was lost, but it not being found about the Prisoner, though he was prefently taken by the Watch; and the whole business as to that particular seeming no other than a Scuffle, he was Acquitted.

*Roger Sedon* of St. *Leonards Shoreditch*, was Tryed for Killing *Jane Leech*, the Wife of *Peter Leech*, on the 17th of *December* last, by giving her a Mortal wound on the Head of the breadth of half an inch and the length of three inches; Upon whose Tryal it appeared that the Prisoner keeping a Victualling-house, and the Deceased coming by his door, some of his Guest called her Shamelels, which so incensed her, that she fought for stones to break the Windows, but finding none she could readily get up, whereupon the Prisoner coming out to pacifie her, she threw Dirt in his Face, and got hold on his Cravat, when to get loose, pushing her from him, she fell, and received several Cuts on her Head, of which through loss of Blood and for want of good looking to, she being very Antient, died on the 20th of that Month, and no other Violence proved to be offered her by the Prisoner, he was found Guilty of Manslaughter.

*George Obryan*, Arraigned and put upon the jury in order to take his Tryal for stealing a Cloth Coach Cent value 2 *s.* 6 *d.* on the 27th of *November* last, from *Michael Nevill* of St. *Giles's in the Fields*; and no Evidence appearing against him, he was acquitted.

*Edward Thomas*, was Tryed for stealing a silver handle Sword value 20 *s.* from *John Levit*, of St. *Clements Danes*, on the 27th. of *December* last; the Evidence for the King proved that he had not only offered it to Sale, but confessed the stealing it, insomuch that the proof being full against him, he had very little to say, only that when he took it he was in Drink, and being supposed to be his first offence, the Jury found him Guilty within the penalty of Petty-larcerary.

*Thomas Burton* of *Stepney*, was Tryed for stealing four Keys valued 1 *s.* 6 *d.* from *Francis Parry*, on the 30th of *March* last, which *Parry* said were taken out of some Buildings in which he was at work, but it appearing that divers Workmen had left Keys at the Prisoners house, and that some heat had passed between him and the Prosecutor, upon proof of his good reputation, the Prosecution was looked upon as frivelous, and he Acquitted.

*John Meechin* and *John Barham*, were Tryed for stealing a Wether, value 15 *s.* from *John Lean* of *Stepney*, on the 21st. of *December* last; the proof was, that the Prosecuter having lost the Wether out of his Grounds, found (upon search) his Skin in the possession of *Barham*, who told him that *Meechin* had killed the said Wether, and upon further inquiry part of the Flesh was found in the Powdering-Tub, which making the Felony plain, and their former confessions proved, notwithstanding they endeavored to shuffle it off to each other, *Barham* altogether alledging he was drawn in by *Meechin*; the Jury found them Guilty.

*Thomas Kilborn*, was Tryed for stealing a Ewe value 10 *s.* On the 18th. of *December*, layed in the Indictment to be the Goods of *Rich. Hyat* of *Islington*; it was proved that it was taken in the possession of the Prisoner, but five persons laying claim to it as proprietors, and only one mentioned in the Indictment, and the Ewe being restored, through that defect, the Prisoner was Acquitted.

*Alice Hayns*, was Tryed for stealing a Wedding Ring, value 22 *s.* and 34 *s.* in money, from *Dorothy Travell* of *Islington*, on the 31th. of *October* last; upon her tryal it appeared she had confessed that coming thither to Lodge, as being under some indisposition, she found means to commit the Felony, but soon after the Ring was recovered, and she appearing to express an extraordinary sence of sorrow for what she had done, the Jury compassionated her to that degree, as to find her guilty within the benefit of Burning in the Hand, *viz.* to the value of 5 *s.*

*Edward Reyon*, was Tryed for stealing a silver Tankard and two silver Spoons, a Coat, a silver Cup, a Scarfe, a pair of Breeches, a Waistcoat, Coife, Pinner, and a Gold Ring, &c. all to the value of 20 *l.* On the 14th. of *October* last, from *Elizabeth Standish* of St. *Andrews Holbourn*: The Evidence against him was, that coming to the House to drink, he counterfeited himself a Country Lawyer, pretending much business, and in conclusion took a Lodging there, but the third Night whilst the Maid of the house (whom he had sent to fetch him a Bottle of Wine, under pretence he had friends to visit him) was absent, he pick'd the lock of a Chest of Drawers that stood in his Chamber, and rifling those that were open, made his escape: In Court he pleaded ignorance, saying, he never lodged in her house, and that he had never seen her but once; yet she being positive it was no other person had robbed her, he was found Guilty.

*Have*

*Isaac Smith* having an Indictment preferred against him by *William Richards* of St. *Pauls Covent-Garden*, for stealing a Silver Mugg value 30 *s.* upon his Arraignment pleaded Guilty to that and all other Fellonies within the benefit of his Clergy.

*Elizabeth Andrews* was Tryed for stealing a Serge Gown valued at 20 *s.* a Scarfe valued at 10 *s.* and a Serge Mantle valued 10 *s.* from *Richard Farrow* of *Stepney*, on the 8*th* of *February* last; The proof against her was, that she taking a Lodging in the house of the Prosecutor, desired to borrow one of his Coats to put on whilst she mended her own Cloathes, which he lent to her, but instead of using it to the end proposed, she found opportunity to steal the things abovementioned, and conveyed them out of the house under it; and it appearing she had confessed the Gown, she at last cast her self on the mercy of the Bench, who in consideration the things stolen were old, and consequently not worth the value mentioned, the Jury receiving their Directions, found her Guilty but to the value of 9 *s.*

*Thomas Broughton* was Tryed for making an Assault upon, and Carnally knowing *Catherine Phrasier*, a Virgin under the age of ten years, in the Parish of St. *Martins in the Fields*, on the 6*th* of *December* last; The proof against him was, That he had entred the Body of the Child at sundry times and given her the Foul Disease, alluring to his wicked purposes and frighting her for some time into a concealment, by telling her her Father and Mother would throw her into the *Thames* if she discovered it; but the disorder occasioning extream soreness, and she complaining, her Parents found it out; and the Prisoner, who was then an Apprentice to the Father of the Child, having formerly confessed it, and not seeming to deny it in the Court, was found Guilty of that Felony.

*Catherine Woodward* was Tryed for stealing a Silver Tumbler value 3 *l.* and 4 *l.* in Money, the Goods of Mr. *John Hoyle* of St. *Andrews Holburn*, on the 23. of *October*; Upon Tryal it appeared the prisoner was Servant in the House, and that the Tumbler *&c.* was left in the possession of his Lawndress in his absence, and from her they were missing when as the Prisoner brought back the Tumbler; but it not being found that she had the Money nor had taken the Tumbler otherways than in jest to make the Lawndress more careful, she having intimated as much when she took it, as likewise brought it again without being taxed, and further, her Reputation appearing very candid, she was acquitted.

*Samuel Walker* and *Sarah* his Wife, were Tryed for stealing a brass Watch with a silver Case value 45 *s.* two Napkins, a Towel and 12 pieces of Gold value 10 *l.* 15 *s.* 6 *d.* from *Richard Tomlinson* of St. *Giles's Cripplegate*, on the 6*th* of *January*; It appeared against the Prisoners, That they being in the House of the Prosecutor in the nature of Lodgers, the Locks were found picked and the things mentioned lost, and upon notice the Robbery was discovered, *Sarah Walker* fled, and was not to be found till they heard of her in the *Gatehouse* for another Robery; it was also proved that the Towel and Napkins were found in *Walker's* Trunk, but his Wife being known a notorious Theif, and he not endeavouring to shift himself upon the discovery, nor known to have been taxed with any such thing before, and further alledging the Towel and Napkins were lent by the Prosecutor for necessary uses, he was acquitted, but his Wife found Guilty.

*Sarah Walker* was Indicted a second time by the name of *Sarah Worrell*, together with *Mary Carter* and *Ann Masters*, and Tryed for stealing a Coat with 106 silver Buttons on it, a pair of Breeches, a Caster, a Hood, and other things to the value of 5 *l.* from *John Guttrix* of St. *Clements Danes*, on the 18. of *October* last; the proof against her was, that she was seen coming down stairs with them, and being pursued, she had cast part of them into a House, and another part was found in her lap, but against the other two there was no proof of confederacy further than that they were hanking thereabout, which considered, they were Acquitted, and she only found Guilty.

*Thomas Bernard* was Tryed for stealing three pair of silver Candlesticks value 15 *l.* from *Charles Middleton* of St. *James's Westminster*, on the 23. of *April* last; upon Tryal it appeared, that being a Servant to the Prosecutor, he took his opportunity to steal them and pass over to *Calais*, where he sold them, upon proof of which by his former Confession, he again confessed it in Court, and was found Guilty of the Felony.

*David Barton* was Tryed for stealing 12 pair of Neats Leather Shoos value 30 *s.* from *Jeremiah Clifton* of *Stepny*, on the 15*th* of *December* last, as likewise upon an Indictment for stealing a Kettle value 3 *s.* from *Elizabeth Rice*, and the Goods proved by the Constable that seized him to be found upon him, he was found Guilty of both Fellonies.

*Margaret Wright* of St. *Giles's Cripplegate*, put upon her Tryal for stealing seven Handkerchiefs value 10 *s.* 6 *d.* a Petticoat value 6 *s.* and a Gown value 5 *s.* from *Elizabeth Lamb*, confessed the Fact, and was brought in Guilty of the Felony.

*Mary Brown* was Tryed for stealing a Serge Gown and a pair of Flaxen Sheets from *Mary Upchurch* of *S. James's Westminster*, on the first of *January* last, but the Goods appearing rather to be taken by leave than stole, she was Acquitted.

*John Paine* was Tryed for stealing a Gelding value 5 *l.* from *John Roberts* of *Islington*, on the 19*th* of *Decem.* it was proved, that he had carried the Horse to the *Castle-Inn* in *Woodstreet*, and that the first notice was given to the Owner by the Ostler of that Inn who came to buy Hay at *Holloway*, who coming thither by that direction, found the Gelding in the possession of the Prisoner, upon which proof he confessed it, and was found Guilty.

*John Mathews*, was Tryed for stealing 2co weight of Spanish Iron, value 15 *s.* from *Henry Limbrey* of St *Gregg. Botolph Lane*, on the 23*d.* of *December* last; upon Tryal it appeared that he was met with the Iron upon his shoulders, carrying it off *Fresh Wharf*; to this he pleaded he was in Drink and knew not what he did, but the proof being plain he was found Guilty.

*John Hanfin*, Tryed for stealing two Coats, value 3 *l.* from *James Rufel* of St *Anns Black-Fryers*; the Evidence was, that whilst the Prosecutor was at Dinner his Shop was robbed and the Coats taken, but an old Hat being left by the Party who took them, it was reported to be the Prisoners, and further that he was seen near the Shop much about the same time, but he denying it and the Goods not being found, he was Acquitted.

*Arthur Gardner* and *Sarah Smith*, were Tryed for High-Treason, in Clipping and diminishing the Current Coin of this Kingdom, on the 27*th.* of *December* last, in the Parish of St. *Mary-Hill*, *viz.* 10 *Elizabeth* Shillings, and 20 King *Charles* the First Shillings; the proof was that upon search for suspicious persons, the Prisoners were found drinking together, and when the Witness entered the Room, *Sarah Smith* ran towards the Fire and stooped to the Grates, after which a Paper of Clippings was found in them, and from thence going to her Lodging there were found 3 melting Pots and a Ladle; but they pleading Innocence and the proof not being home, they were Acquitted.

*John Dykes*, was Tryed upon a like Indictment of High Treason, for Clipping and diminishing the current Coin of this Kingdom, on the 8*th.* of *January*, *viz.* 40 *Elizabeth* Shillings, 40 King *Charles* the First Shillings, the proof was, that part of the Clippings being found by one *Abigail Dykes* his Cousin, she went with another Woman to sell them to a Goldsmith, who stopping her, confessed where she had

them, and upon search more Clippings were found with a melting Pot and a pair of Sheers; to this he pleaded ignorance, and called divers to testifie for his Honesty in his calling, being a Cabinet-Maker by Trade; but this, and the finding some Clippings in a pair of Breeches of his, together with his former Confession before the Justice, so far weighed with the Jury, that they found him Guilty.

*Mary Ambler* was Tryed for stealing 30 Yards of Chequer'd Silk value 7 *l.* 10 *s.* from *Isaac Nichols* of St. *Martins Ludgate*, on the 22*th.* of *December* last, against the Prisoner the Proof was, that she coming with another Woman into the Shop of the Prosecutor, and cheapning Silk, *&c.* was perceived to reach over the Counter, as also a small piece of Silk shuffled under her Feet, and immediately after their departure, the Silk mentioned in the Indictment was missing, but she producing persons to testifie her Reputation, and the proof not being positive, she was acquitted.

*James Clayton*, Indicted for stealing a Rug, a pair of Sheets, and a Bolster, value 14 *s.* from *Thomas Pritchard*, on the 18*th.* of *December* last, upon his Arraignment, pleaded Guilty.

*James Lundy* was Tryed for stealing 18 white Felt Hats from *Arthur Marshall* of the Parish of St. *Magnes*, on the first of *January* last; against him it appeared, That a person to whom he had offered the Hats to sale, acquainted the Prosecutor with it, and they both going to see them, met the Prisoner near St. *Georges* Church, and went with him to a house in *Kent-street*, whereupon sight of 12 of them he knew them to be his, and soon after found the other six. To this Charge the Prisoner pleaded he bought them of a man in *Bishopsgate-street*, but not being capable of making it out, he was found Guilty.

*William Clare Anne Fox*, and *Thomas Corlesi*, were Tryed upon an Indictment of Burglary and Felony, committed on and in the House of *Hanah Kemp* in the Parish of St. *Mary Woolnoth*, on the third of *December* last, and stealing Goods to the value of 5 *l.* but upon Tryal there being only Circumstantial Evidence, and no positive proof, they were, the parties concerned in the Fact, the Jury brought them in not Guilty.

*William Hartly* was Tryed for concealing and confederating with one *Patrick Mack Donniel*, who defrauded the Honorable *Bernard Howard* Esq; of 150 *l.* which he had received for his use on two Notes: Upon Tryal it was proved against him, that he had hid the Prisoner in his House, furnished him with a Horse and other riding materials in order to make his Escape, telling him upon his declaring he was in danger of being undone if he was discovered, that if he was not guilty of Treason or Murther, he would assist him in his Escape, and thereupon gave him a Note of the Roads to *Yarmouth* in order to his Transporting himself, and when Enquiry was made, concealed him till 5 Guinea's and a Note of 20 *l.* were put into his hands, having ordered his Servants to do the like. His Plea was, that he only detained him in hopes he was Colonel *Douglas* his Man mentioned in the Gazette, and produced many persons to testifie his behavior in the Parish where he lived, he being a Post Master, but the Conivance plainly proved, he was found Guilty of the Trespass.

*Mary Gardner* of St. *Andrews Holbourn*, was Tryed for for concealing and intending to dispose of a parcel of Clippings of Money, to the detriment of the Subject and Diminution of the Currant Coyn of this Kingdom: And against her it was proved, that she being searched upon Suspition, the Parcel was found in her pocket in a piece of black Silk, and produced in Court; to which she pleaded that she found them in *Holbourn*, but not being capable of proving it, she was found guilty of the Trespass.

*John Paine* was a second time Indicted and Tryed for stealing a Gelding value 4 *l.* from *William Gaston* of *Hackney*, on the 19th of *November*, and the proof being, that the Horse was found in the custody of a party with whom he had intrusted him upon liking, and taken some Mony in part of payment if it came to an agreement; he did not deny the Fact, whereupon he was found Guilty, as of the former Indictment.

*Anne Hewes* and *Elizabeth Gattway*, were Arraigned and put upon the Jury in order to take their Tryals for stealing a pair Sheets and a Blanket value 7 *s.* 6 *d.* from *John Pardo* of St. *James Clerkenwell*, on the 7*th* of *January* last, but no Evidence appearing against them, they were Acquitted.

*Giles Chapelo* and *Susan Euson*, were Tryed upon two Indictments of Burglary and Felony, the first for breaking into the house of *Thomas Brown* of *Shoreditch*, on the 12*th* of *November* last, and taking thence Pewter, Linnen, wearing Apparel, and Eatables, as Beef, Pork, *&c.* to the value of 10 *l.*

The second for breaking into the House of *Thomas Hoy* of the same Parish, and stealing thence boiling Pots, Pewter pots, Plates, Dishes, and 36 pound of Beef; but the material Evidence being a little Boy, who affirmed he had been with them in both those Roberies, and they producing some people to give an account of their Reputation, they were Acquitted on both Indictments.

*Mary Osbourn* was Arraigned and put upon the Jury in order to her Tryal, for Robbing *Ursula Reeves* of St. *Martins in the Fields*. and taking from her person three Hoods and a Coif value 9 *s.* 6 *d.* on the first of *December* last, but no Evidence appearing against her, she was Acquitted.

*Daniel Flower* was Tryed for stealing two Brandy Cups value 12 *s.* from *Thomas Moss* of *St. Giles's in the Fields*, on the 18*th* of *October* last: The prosecutor upon Tryal deposed that the Prisoner had confessed the stealing of them, and it being evident the Plate was lost, notwithstanding the prisoner alledged it was a Malicious prosecution, he was found Guilty to the value of 10 *d.*

*William Ward*, was Indicted for Robing a Barrock, or Bed-Room in the *Savoy* Garrison, he being a Soldier, on the 14*th.* of *January*, and stealing thence a Coat, a pair of Stockings, a pair of Gloves, a Sword, *&c.* the Goods of *Robert Hazler*, which being proved by a Soldier that lay in the next Barrock, he was found Guilty.

*Mary Lush*, of St. *James's Westminster*, was Tryed for stealing divers Rings and other things of great value from *Ann Penrice*, on the 8*th.* of *January* last, upon Tryal it was deposed by the Prosecutor, that her Pocket was Cut, and a Purse with Rings and other things, to the value of 30 *l.* were lost, but she laying claim but to one Ring amongst many that were taken about the Prisoner, and that defaced by the Stones being taken out; so that she not being positive, and the Prisoner producing her Son of whom she had the Ring, he was Gommitted, and she Acquitted.

*Patrick Mack Donniel*, upon his Arraignment, for the Money before-mentioned to be his Masters, pleaded Guilty.

*Elizabeth Berry*, Tryed for stealing two Yards of Bone-Lace value 8 *s* from *Joseph Trig* of St. *Leonards Shoreditch*, on the 1. of *May* last; it was proved that she came into the Shop of *Trigs* Wife, and found an opportunity to put the Lace in her Stocking; and she having no proof of her Reputation, the Jury brought her in Guilty, to the value of 10 *d.*

*Mary Peck*, was Tryed for stealing hoods Scarves plain and Lac'd Neckcloaths, a pair of Gloves, a Silver Seal, and some Yards of Ribon, to the value of 5 *l.* from *Robert Rumbold* of St. *Dunstans* in the *West*, on the 18*th.* of *October*; it appeared upon Tryal, that the Prosecutor's door was opened and the things taken out, but the Evidence being only Circumstantial as to the Prisoner, she was Acquitted.

The Persons Burnt in the Hand were.

*John Convers, Roger Sedon, Thomas Barnard, David Burton, James Clayton, Patrick Mack-Donniel, John Mathews, James Lundy, Alice Hayns, Elizabeth Andrews*, and *Edw. Reyon.*

To be Transported,

*Thomas Drew*, and *Isaac Smith.*

The Persons that Received Sentence of Death were,

*John Pain, John Dyks, Thomas Broughton*, and *Sarah Walker* alias *Worrel.*

To be Whip'd,

*Edward Thomas, John Barham, John Meechin, Margaret Wright, Elizabeth Berry, William Ward, Daniel Flower.*

The Persons Fined, were

*William Hartly* 40 Marks, and to find Sureties for a Twelvemonth: *Mary Gardener* Fined 20 *s.*

And so the Court Adjorned, Appointing the next ensuing Session, on the 24*th.* day of *February.*

GOD SAVE THE KING

*This may be Printed*, January *the* 18th. 1685. R. L. S.

*London*, Printed by *E. Mallet*, for *D. Mallet*, 1685

K. Histories, Sessions. Old Bailey 243

# THE PROCEEDINGS ON THE King's Commissions OF PEACE

And *Oyer* and *Terminer*, and *Gaol Delivery* of Newgate,

HELD FOR THE

City of *London* and County of *Middlesex* at

# Justice-Hall,

IN THE

# OLD-BAYLY;

The 25*th*. 26*th*. and 27*th*. of *February*. 1685.

And in the First Year of *His Majesties Reign*.

THE Sessions of the PEACE, *Oyer* and *Terminer*, and *Gaol-delivery* of *Newgate*, being held at *Justice-Hall* in the *Old Bayly*, on *Wednesday*, *Thursday*, and *Friday*, the 25th. 26th. and 27th. days of *February* 1684. Before the Honourable Sir *James Smyth*, Lord Mayor of the City of *London*; Justice *Jones*, Baron *Gregory*, Judge *Holloway*, Judge *Levinze*, Baron *Street*, Sir *Job Charlton*, Sir *Francis Withins*, Judge *Walcoat*, Judge *Wright*, and Sir *Thomas Jenner* Knt. one of his Majesties Serjeants at Law, and Recorder of the said City; together with other Justices of the City of *London*, and County of *Middlesex*.

The Tryal of the Prisoners were as followeth.

*Mary Coborne*, Indicted for Clipping several pieces of money. She very obscurely used to follow this too fatal Employ, when she supposed the secresie of a dark Night was her chiefest Friend; and would often, to supply the craving importunities of Sin, diminish the King's Coin. She had no small acquaintance of that bad profession, and would very often pay Debts and Rent in new Clipt money; her Implements for such occasions were found in her Apartments, with several new pieces of money Clipt. The Jury, upon so plain an Evidence as appeared against the Prisoner, brought her in Guilty of Treason, and accordingly she received sentence of Death, as the Law in such Cases awards.

*Robert Elton*, Indicted for the felonious taking of two Gold Rings, with 5 *s.* and 3 *d.* in money from *Samuel Smith*, whereunto he pleaded Guilty, saying, That it was his first Crime, and desired therefore the mercy of the Bench.

*Thomas Elsey*, Indicted for stealing several Cocks and Hens from *Samuel Freebody*: To his Indictment he pleaded Guilty, owning the Fact, and thereupon was convicted of the said Felony.

*John Bowden*, Indicted for stealing a considerable Parcel of *Red Wool*; but by many Persons it being proved to be his Trade, or at least wise such Employment, as for no small time he had undertook to deal in such Commodities, as all sorts of Wool, he was acquitted.

*Andrew Archer*, a Hackney Coachman Indicted for the murder of a poor old man, upon opening of the Evidence it appeared to be thus; That the ſaid *Andrew* driving his Coach very faſt from *Weſtminſter* in *Hilary* Term laſt through *Weſtminſter* Gate, there hapned to be ſome Contention betwixt the ſaid *Andrew* and a Carman, for getting firſt through the Gate; and during the ſtrife, the old man aforeſaid croſs'd the way, and laying his hand upon the Gate, the better to ſecure himſelf, the Coach-wheel cruſhed his hand in pieces, whereof in ten days after he dyed; and he declaring upon his Death-bed, that the ſaid miſfortune was the cauſe of his End, (which alſo the Chyrurgion in Court declar'd upon Oath) but no premeditated malice being made appear, the Priſoner was only found Guilty of Manſlaughter.

*George Saunders*, (a Soldier lately in the Gariſon of *Tangier*) Indicted for two ſeveral Robberies committed near *Paddington* (about Eight of the clock at night) on the 7*th*. of *February* laſt, being on Foot, he, with Two more of his Complices, ſeized Two honeſt Countrey-Fellows, bound them hand and foot, ſtript them of their Cloaths, and took what money they had about them, and it being made appear that the Cloaths were found upon the Priſoner's back, (which he pretended he had bought, but could not prove it,) and other violent circumſtances concurring, the ſaid Priſoner was found Guilty of Felony and Robbery.

*Dorothy German* had Three ſeveral Indictments preferr'd againſt her: Firſt, for wheedling a Linen-draper's Prentice, cauſing him to ſteal, imbezle his Maſters Goods, and privately (without his Maſters knowledge) to convey them to her, who received them, and employed them to her own uſe, giving him ſome (though but very little) monies for his pains; his Maſter finding his Goods gone without his knowledge, or any account of them from his man, he with threats, and other ways, (as he thought fit) forc'd him to make a full diſcovery of her ſlie inſinuating Tricks, and afterwards did apprehend her. Other Indictments were read againſt her much of the ſame nature, whereunto ſhe pleaded *Not Guilty*, and with ſeveral Aſſeverations averred her innocence; but ſhe being not able to prove where, and of whom ſhe got them, ſhe could not expect to be brought in otherwiſe, than as the Jury gave in their Verdict, Guilty of the Crime alledged in her Indictment.

*George Clarke*, Indicted for having Wives, *viz. Mary Cox* and *Anne Hogg*, but no Perſons appearing againſt him, prove the ſecond Marriage, he was acquitted.

*Richard Bee*, Indicted for ſtealing 1 *Caſters* from Mr. *Baker* Haberdaſher living on *London-Bridge*; he ſent them to an *Inn* in *Biſhopsgate-ſtreet*, in order to their being ſent into the Country; but the Priſoner ſtealing both Box and Hats, went to ſell two of them to a Perſon that knew their Mark, by whom he was apprehended. *He* pleaded he found them in the ſtreet, whereupon he was found Guilty of Felony.

*John Holms*, Indicted for Burglary and Felony, *viz.* for breaking open the ſhop of *Stephen Long* near *Ludgate*, and taking ſeveral ſilver-hafted Knives, Razors, Sciſſers, and Combs, amounting to a conſiderable Value. The Witneſſes prov'd it plainly againſt him; and he making little or no defence for himſelf, he was found Guilty of both; Felony, and Burglary.

*Emanuel Hall*, Indicted for ſtealing a large Winding-Jack, valued at 30 *s*. the Owner found him carrying it away, and ſeized him. *He* pleaded he knew not how he came by it; was found Guilty to the value of 10 *d*.

*William Gare*, and *William Hughs*, Indicted for ſtealing a Pewter-Pot, 2 Coats, and a Gooſe. They were brought in Guilty to the Value of 10 *d*.

*Joſeph Coats*, Indicted for Felony and Burglary. He broke the houſe, and was ſeiz'd by a Neighbour through the window, having broke open a Trunk, whence he took ſeveral Cloaths, and left a Chizel in the room. It appeared very plain by the Witneſſes that he did it, wherefore he was found guilty of both.

*John Benſon*, *Gerard Sanſkel*, Indicted for taking a ſilver Cup out of an Alehouſe in *Fetter-lane*, where they were drinking. The Servant ſwore he brought it to them, and at their departure it was gone. Another proved it was in their

Lodg-

Lodgings, where, upon ſearch, it was found under the ſtairs. The Evidence was plain and full againſt the Priſoners, wherefore they were brought in Guilty of the Crime laid in the *Indictment*.

*Thomas Smith*, Indicted for ſtealing a ſilver Tankard, valued at 9 *l.* 17 *s.* 6 *d.* he could produce no Witneſſes to prove his Civility, but had a debauched Character; and endeavouring to prove himſelf (at that time the Tankard was ſtole) to be at a Tavern in the *Strand*, he called ſeveral perſons to vouch it, but they not agreeing in what they ſaid, were disbelieved, and he found Guilty of Felony.

*Charles Congrile*, for ſtealing ſeveral Cloaths, as two Coats, *&c.* but no perſons appearing againſt him, he was acquitted.

*Iſabel Roſeby*, (a young Girl about Thirteen years of age) indicted for the felonious taking of Three pounds odd monies from a perſon. Upon diſcuſſing of the whole matter, it appearing the Priſoner being a kind of a Nurſe or a Superintendent upon the Proſecutor in the time of her ſickneſs in Childbed, the ſaid Proſecutor ſent the Priſoner up into a Chamber, to fetch ſome Linen out of a Trunk, wherein was laid the aforeſaid Sum (as the Proſecutor alledged) but no poſitive or plain Proof being made againſt the Priſoner, but only a preſumption or ſuſpicion, ſhe was acquitted.

*Thomas Fallofield*, Indicted for a bloody, barbarous and cruel murder committed upon the body of his Couſin *Mary Hunt*. Upon opening of the matter, it appear'd, that the ſaid Priſoner being an illiterate, ruſtick Countrey Fellow, and coming up to *London* to get Employment, went to viſit his Couſin *Mary Hunt*, (who having alſo a Kinſwoman in the houſe with her called alſo by the name of *Mary Hunt*) where he was very kindly and in a friendly manner entertained both with meat, drink, and lodging; but coming in one Night about Nine of the Clock, took occaſion to quarrel with his ſaid Kinſwomen, aſſaulting in a moſt bloody and furious manner one of the ſaid *Mary Hunts* with a Rubbing-Bruſh, and knockt her down, and left her, (ſuppoſing ſhe had been dead) and preſently run up ſtairs, where he found the other *Mary Hunt* in her Bed, whom he alſo moſt barbarouſly aſſaulted, by taking up a Quart-pot, and knocked out her brains, whereof ſhe preſently expired: The Aſſaſſinate flying, made his Eſcape into *Oxfordſhire*, but the vengeance of God purſuing, he was by accident apprehended, and brought up to *London*, where his poor Couſin whom he knocked down and aſſaulted below ſtairs, made the matter very plain againſt him, whereupon he was deſervedly found Guilty of the ſaid inhumane murder.

*Joel Gaiſchone*, Indicted upon ſuſpicion of ſtealing Forty Gallions of Wine out of the Cellar of *Robert Rawley*, but the Evidence being full and plain againſt the Priſoner, the Jury found him Guilty of the ſaid Felony, to the value of 10 *d.*

*Charles Rawlinſon*, Indicted for murdering of Mr. *John Blackſtone*. It appeared by the Evidence, that the Priſoner and the deceaſed, upon ſome ſmall or trivial matter, fell to blows, and that the deceaſed gave the firſt provocation, and no prepenſed or forethought malice appearing, to be in the ſaid *Rawlinſon*, to make him commit the ſaid murder, the Jury, after ſome deliberation, found it only Manſlaughter.

*Johanna Lane*, Arraigned for picking the Pocket of *James Harvey* of 3 *l.* 4 *s.* 10 *d.* but he could not poſitively ſwear it; and ſhe bringing ſufficient Houſholders to vouch her honeſt courſe of life, the Jury thought fit to acquit her.

*John Walter*, Committed for removing ſeveral pieces of Linnen, with intent to ſteal them; but it being not proved againſt him, and he having good Witneſs to prove his honeſty, was allowed the benefit of his Clergy.

*James Jones*, Committed and Indicted for ſtealing a Silver Tankard valued at ſix Pound; he was permitted to have (at his humble requeſt of the Honourable Court) the benefit of his Clergy.

*Edward Perkins*, Indicted upon ſuſpicion of Committing divers Robberies, at ſeveral times, and in ſeveral places: He had a Dark-Lanthorn, and a bunch of Pick-lock Keys, and a Watch about him; the *Jury* found him Guilty; but he was ſuffered to have the priviledge of his Clergy.

*Charity Walker*, Tryed for picking the

Pocket of *James Battin*, and taking thence six silver spoons; but it appearing he had been in some Company after he was with her, she was found not Guilty.

*Luke Wine*, Indicted for stealing 19 sheep out of the grounds of *John Lockey*, to the value of Nine pounds, to which he pleaded Guilty; but being his first Crime (as he said) he desired mercy of the Bench

*Thomas Annis*, Indicted for being a common and notorious Cheat, having lately cozened 16 persons of Goods to the value of 200 *l.* was found Guilty.

*Robert Bennison*, Indicted for stealing 11 ounces of silver-twist. The proof not being full against the Prisoner, he was acquitted.

*William Mullins*, Indicted for stealing a parcel of black Cloth, of very considerable value, from *Abraham Johnson*. The matter of Fact thus, the Prisoner running away with the said Cloth, was observ'd afterwards to drop it; where upon he was found Guilty of the said Felony.

*William Clark*, indicted for a Money-box, with a piece of small money in't, pleaded Guilty.

*Elizabeth Draper*, Indicted for Felony, was found Guilty.

*John Hays*, Indicted for stealing a piece of Linsey of *John Walker*, was brought in Guilty.

*Thomas Stevenson*, Indicted for stealing a silver Tankard, found Guilty of the Felony.

*Peter Benfield*, Indicted for stealing Goods, and breaking the house of *Dennis Hall*; the Goods being found in the Prisoner's house, he was found Guilty both of Felony and Burglary.

*William Ramson*, a noted Highway-man, who riding along the Road, supposed his Fellow Travellers Horse better than his own, thereupon borrow'd him (as he pleaded) and some monies; but being apprehended with the Horse in his custody, was found Guilty of the Felony, and received sentence of Death.

*Roger Mercy*, Indicted for Felony, had the benefit of his Clergy.

*William Williams*, Indicted for stealing a small Trunk of Linen and Woollen, he was likewise afforded the benefit of his Clergy.

*Dorothy Clinton*, *John Clinton*, and *Richard Whiting*, Indicted for Robbing *Martha Marnes*, the former as Accessary, and the two latter as Principals: It was proved against *John Clinton*, that he had taken the Sum of 24 *l.* out of her Possession, and that he had disposed of it upon sundry occasions; he not having before any Money as could be gathered by those that had frequent converse with him; upon which Evidence he confessed the Felony, and thereupon was found Guilty.

*Henry Lisk*, and *Ralph Harrison*, Indicted for stealing two silver Cups, several Yards of black Crape and divers pieces of Childbed Linnen from *Richard Ainsworth*, and *John Stone*: It was proved against them, that they had entered the respective Houses of the Prosecutors, and taken thence the Goods charged in the two Indictments; and that upon search, part of the Goods were found in their Custody; to which they making a slender defence, the Jury found them Guilty of the first Indictment according as it was laid, which was for Felony and Burglary, and of the second tho' laid as the former, of Felony only.

*John Steers* and *Thomas Fletcher*, Indicted for stealing a money Box, 3 Shillings, a single Penney and divers Farthings; were upon full Proof found guilty to the value of 10*d.*

*Charles Malbrough*, Indicted for stealing Nine half Hundred Weights: It was proved upon him that he had the said Weights from *Richard Brown* and disposed of them to his own behoof, and he not being able to make any considerable defence though he pleaded innocence, was found guilty of Petty Larcenary.

*Thomas Annis*, Indicted for Cheating one Mr. *Baily*, of a considerable parcel of Butter and Cheese under a pretext of bargaining for it, in the name and behoof of one Mr. *Wright*, a Customer of the said Mr. *Baly's*; as likewise upon a second Indictment for Cheating one Mr. *Morehead*, of Ribon, to the value of 23*l.* under the like pretext; which being proved and he not able to make any considerable defence, the *Jury* found him guilty of the Indictments.

*Walter Barker*, Indicted for an intended Rape upon a Female Infant of Five Years of Age; Evidence was produced to prove the Attempt, but he bringing divers People to justifie his civil behaviour and modest Carriage all along; and that he was no ways given to Leudness or Debauchery: They over ballanced the Testemony of the Prosecutor, insomuch that the *Jury* looking upon it as a design to get money out of the Prisoner Acquitted him.

At this remarkable Sessions 9 were Burnt in the Hand, viz. *James Jones*, *Charles Rowlandson*, *Robert Elton*, *Thomas Elsey*, *Richard Bee*, *Luke Wyn*, *Andrew Archer*, *John Benfield*, and *Edward Hodges*.

To be Transported 10. viz. *John Walker*, *Edward Perkins*, *John Holms*, *Thomas Smith*, *Roger Mercy*, *Thomas Stevenson*, *John Hays*, *William Williams*, *William Clark* and *John Clinton*.

Sentence of Death passed upon 11. viz. *Joseph Coats*, *William Ramson*, *Thomas Fallowfield*, *George Saunders*, *George Baker*, *Charles Backler*, *William Mullins*, *Henry Lisk*, *Ralph Harrison*, *Mary Reeves*, and *Mary Cabourn*.

To be Whip'd 9. viz. *Thomas Fletcher* *John Steers*, *Charles Malborough*, *Joel Gascoign*, *William Gayer*, *William Hudges*, *John Benson*, *Gerard Selkel*, and *Emanuel Hall*.

*Thomas Annis* Fined, and to stand in the Pillory: And so ends this great Sessions.

LONDON, Printed by E. Mallet, 1682.

# A LIST

Of the Names of the

# REBELLS,

That were Executed at *Lyme*, *Bridport*, *Weymouth*, *Melcombe-Regis*, *Sherbourn*, *Pool*, *Wareham*, *Exeter*, *Taunton*, and several other Places: Together with the names of those which were Respited till further Orders. Gathered out of several Papers formerly Printed.

*Order'd to be Executed at* Lyme 12. viz.
Abraham Holms,
Josia Askew,
William Hewling,
John Hays,
John Kidd,
John Marders,
Sampson Lark,
Christo. Battiscomb
Leonard Jackson,
Henry Wats,
Benjamin Temple,
Robert Matchet,

*Order'd to be Executed at* Bridport 13. viz.
Robert Bull,
John Bull,
Benjamin Sanford,
John Lee,
William Quintin,
Thomas Clap,
Thomas Cook,
George Collier,
Robert Fawn,
John Beamont, *Sen.*
John Sprake,
Azarias Pinney,
Malachie Malake, *Reprieved.*

*Order'd to be Executed at* Weymouth *and* Melcomb-Regis 12. viz.
Thomas Forte,
John Bevis,
Tristram Elliot,
Robert Slade,
William Lancaster,
John Burridge,
John Hartley,
George Smith,
George Wilmot,
John Robbins,
Edward Leggit,
Roger Satchel,

*Order'd to be Executed at* Sherborn, 2. viz.
[illegible] Gliffon,
[illegible]liam Hart,
[illegible]n Leggit,
[illegible]ncis Skinner,
[illegible]illiam Alstone,
[illegible]orge Puckeridge,
Henry Rowe,
John Lawrence,
Michael Abbot,
Richard Hall,
John Savage,
Robert Whorwood,

*Order'd to be Executed at* Pool 12 viz.
William Dilling,
Andrew Tozier,
William Hardiman,
Thomas Jenkins,
Robert Salter,
Thomas Waldron,
John Pulling,
Andrew Ellis, *alias* Cozens,
Josias Restrick,
Phillip Cox,
William Martin,
Nicholas Hoar,

*Order'd to be Executed at* Wareham, 6. viz.
Samuel Robins,
William Cock *Sen.*
John Holloway,
Adam Hawley,
Thomas Tyler and Tho. Lawrence } *Reprieved*

John Foweracres,

*Order'd to be Executed at* Exeter.

Thomas Hobbs,

*Order'd to be Executed at* Crediton,

William Parsons,
Thomas Quintin,

*Order'd to be Executed at* Ottery *St.* Mary.
John Sprake,
William Clegg,
*at* Collyton.

John Oliver,
Henry Knight,
Samuel Pots,
John Knowles,
*at* Honyton.

Thomas Broughton
John Gosling,
Timothy Dunkin,
John Rols,
*at Axminster.*

*Order'd to be Executed at* Taunton 14. viz.
Abraham Ainsly,
Arthur Mathews,
William Jenkins,
Benjamin Hewling,
John Dryer,
John Hucker,
Jonathan England,
John Sharp,
Percy Morrin,
John Savage,
John Fricker,
John Williams,
John Petram,
James Whettam.
John Trickey,
VVilliam Satchel,
VVilliam Davison,
Henry Lisle,
Rob[illegible] Perrot.

*The Persons that received their Sentence with the former, and no Place nor Time then Order'd for their Execution, were Respited, and are as followeth*, viz.
Abraham Hunt,
Christo. Cooper,
Edmond Bovet,
VVilliam Siller, *Ju.*
John Follet,
Elias Holman,
Peter Bird,
John Kemplin,
VValter Teape,
James Cox,
Thomas Connet,
Robert Drower,
John Smith,
Edward Lewther,
John Downs,
John Edwards,
Nathaniel Swapper,
John Winniby,
Benjamin Bryan,
Henry Plotworthy,
John Loe,
William Pippin,
John White,
James Pomray,
Robert Shaw,
Tho. Gammidge,
Stephen Cook,
Thomas Bennet,
John Manning,
John Fisher,
Robert Lumber,
William Watfield,
George Plumley,
Richard Keach,
Thomas Allen,
John Reason,
George Speering,
Matthew Porter,
Robert Spurway,
Peter Row,
John Lovering,
Robert Foard,
John Beamont *Ju.*
Elias Stephens,
Daniel Parker,
John Bridle,
Thomas Parsons,
Nicholas Palmer,
John Davis,
Thomas Williams,
Matthew Hutchins,
Nicholas Smith,
——Mallet,
John King,
Edward Towel,
Edward Lane,
John Vincent,
John Pits,
Evan Gammidge,
Andrew Robson,
William Cozens,
Thomas Townsend,
Jasper Diamond,
Thomas Gregory,
John Allen,
Robert Hellier,
Thomas Allen,
Thomas Hellier,
Thomas Best,
John Marke,
John Mitchel
John Madders,
Thomas Hallet,
John Alsop,
George Massey,
John Pinney,
Charles Strong,
William Pead,
William Saunders,
James, Spence,
John Willson,
Edward Adams,
John Adams,
Anthony Billing,
Arthur Lusher,
John Hutchins,
John Lawrence,
Thomas Bovet,
Henry Beesly,
Robert Bale,
John Duran,
James Fowler,
John W[illegible]re,
Francis Langley,
Thomas Moor,
John Moggridge,
Thomas Quick,
Nicholas Salter,
Francis Smith,
Richard Green,
William Marters,
John Pacy,
Thomas Greenway,
John Prew,
R[illegible]chard Daniel,
Peter Kent,
John Skinner,
Adam Clark,
Chri[illegible]topher Jewel,
Abraham Thomas,
John Baker,
Daniel Pitson,
Robert Gough,
George Hempton,
Andrew [illegible]ofier,
Samuel Dollier,
Peter Bagwell,
Benjamin Whicker,
John Wicker,
John Bagwell,
Oliver [illegible]b,
John Ipsley,
John Itchcock,
Nicholas Perts,
Thomas [illegible]sset,
William [illegible]yles,
Joseph [illegible]ay,
Thomas Perry,
John Winnely,
William Grove,
Samuel Walden,
John Bulling,
Robert Mulling,
Roger Bryan,
Charles Broughton,
Richard Parker,
John Hayn,
Joseph Downing,
John Cornet,
Matthew——
John Glover,
Emanuel Collins,
Roger Hobbs,
John Gay,
John Trottle,
Christo. Marriot,
Joseph Hallet,
Nath. Webber,
Edward Morton,
James Salter,
William Lowrey,
Ambrose Ashbourn,
Roger Prince,
Joseph Belts,
Nicholas Warren,
Robert Sandey,
William Wills,
John Pryer,
William Tucker,
William Brown,
Samuel Lawrence,
Zachariah Brown,
William Clark,
John Brown,
Thomas Dolling,
Edward Mash,
George Tu[illegible]
John Eas[illegible]
Robert Bur[illegible]
John Allenbr[illegible]
Henry Tucker,
Thomas Burridge,
Thomas Cornelius,
William Burridge,
Humph. Moulton,
A------ Lacy,
Robert Dale,
Edward Willmot,
William Williams,
Thomas Marshal,
Richard Paul,
Hugh Willmot,
John Johnson,
Joseph Paul,
Richard Allen,
James Hock,
John Gadbey,
Edward Ben,
Richard Pine,
Thomas Pester,
William Cox, *Junr.*
Richard Cox,
Peter Trocket,
John Wellman,
John Samm,
Henry Sing,
William Deale,
William Clark,
Walter Osborne,
Richard Hore,
William Hayns,
Tho. Franckling,
John Jones,
Joseph Strong,

*This may be Printed*, R. P. April, *the* 1*st.* 1686.

*LONDON*; Printed by *E. Mallet*, next Door to Mr. *Shipton's* Coffee-House near *Fleet-Bridge*, 1686.

515. L. 2.
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# THE PROCEEDINGS ON THE King's Commissions Of the PEACE,

And *Oyer* and *Terminer*, and *Goal-Delivery* of *Newgate*, Held for the City of *London* and County of *Middlesex*; at *JUSTICE-HALL* in the

# OLD-BAYLY,

The 20*th*. 21*st*. and 22*d*. days of *May*, 1686. *And in the* 2d. *Year of His Majesties Reign.*

THE Sessions of Peace, *Oyer* and *Terminer*, and Goal-Delivery of *Newgate*; Held at *Justice-Hall* in the *Old-Bayly*; on *Thursday*, *Friday* and *Saturday*, the 20*th*. 21*st*. and 22*d*. Days of *May*, 1686. Before the Right Honourable Sir *Robert Jefferies* Kt. Lord Mayor of the City of *London*, Sir *John Holt*, Kt. Recorder of the aforesaid City, with others of His Majesties Justices of the Peace, for *London* and *Middlesex*.

The Jurors were as follow,

| London Jury, | Middlesex Jury. |
|---|---|
| *Robert Jenks* | *John Leeson* |
| *Richard Chowne* | *Richard Cooper* |
| *William Skinner* | *John Bignal* |
| *Richard Chase* | *Thomas Whitfield* |
| *Nathaniel Newbury* | *Robert Brock* |
| *Samuel Burgis* | *George Clisby* |
| *Edmond Clark* | *Edmond Salter* |
| *Bartholomew Brown* | *William Collins* |
| *John Overton* | *Samuel Bishop* |
| *Joseph Stredock* | *Thomas Curtiss* |
| *Thomas Steere* | *Ephriam Lewis* |
| *Roger Dennis*. | *Richard Reding*. |

*The Proceedings were as follow.*

*Henry Dixson*, of the Parish of St. *Sepulchres*, about Seventy Years of Age, was Indicted for Killing one *Thomas Best*, on the 12*th*. of *May*, with a Sword, value 6*d*. The Evidence for the King deposed, that the Prisoner and the Deceased meeting at *Habberdashers Hall* Door; (they receiving Alms of the Company) the Deceased asked the Prisoner if he had received his Pension yet, to which, the Prisoner answered, *what was that to him for a Drunken Sot*, Upon which, (after their return home) there rise a Quarrel between the Prisoner and the Deceased, insomuch, that the Prisoner got Water and threw at the Deceased, and afterwards went in, and found the said Sword in his House, and Engaged with the Deceased a Second time, and passed at him three several times, and pushed the said Sword into the left Eye of the Deceased, of which Wound he dyed 16*th*. of the same Instant. The Prisoner having but little to say in his own defence, neither could produce any Evidence in his behalf, the Virdict was brought in by the Jury Manslaughter only.

*Ann Hollis*, of the Parish of St. *Margarets Lothbury*, was Indicted for Killing *Elizabeth Presswick*, a Girl about Fourteen Years of Age, her Apprentice, on the 13*th*. of *March* last, with a Rod of Birch. The Evidence for the King deposed that the Deceased being her Apprentice; she upon the day aforesaid, caused her to go up Stairs, and two other Girls about the same Age, to hold her cross the Bed, while she Whip'd her upon the Back, Belly, Shoulders, and [illegible] insomuch that she [illegible] till the 6*th*. of [illegible]. The [illegible] was that she only Whip'd her for several Faults, as Lying, and Sluttishness, and the like, and that she gave her but moderate Correction, and that she was but a sickly Girl, and died of a *Consumption*, which was Corroborated by the *Apothecary* and several other Evidences, that she died of the Disease, and not of any Wound her Mistress gave her; and it being looked upon as a Malicious Prosecution, she was Acquitted.

*Nathaniel Johnson*, a Boy about Ten Years of Age, was Indicted for stealing 30 *l*. in Money from *Charles Hare*, of the Parish of St. *Michaels Cornhill*, on the 8*th*. of *May* last. The Evidence was Mr. *Hare*, who deposed that the he coming to his Shop in the *Exchange* one *Monday* in the Morning, found his Drawer where the Money lay, to be open, and the said 30 *l*. taken away; and upon Enquiry, Search was made for the person; it so happened, that the Prisoner was seen to lye sleeping at a *Wharfe* by the Water-side, whereupon, a Carman going by, awaked him, and asked him whose Boy he was, and having some Suspicion of him, began to search him, and found 13 *l*. in Money and upwards in his pocket; and asking him whose Money that was; whether it was his Fathers, or not? the Boy said no, but he threatening him with *Bridewell*, Confessed that he had it in the *Exchange*, and that another Boy was with him; and that they had hid themselves *Saturday* Night, where they took the Money, and that the other Boy was gone from him, and that the Watchmen had let them out on *Sunday* Morning, and the Money being brought, the Prosecutor knew it to be his Money, that it was the Money by two Brass Shillings which were in the Bag; all which, the Boy not denying at his Tryal, he was found Guilty of the Felony.

*John Colwell*, a Boy about Ten Years of Age, of the Parish of St. *Butolph* without *Bishops-gate*, was Indicted for stealing Thirty Yards of *Lemon-Colour'd Satin Ribbon*, on the 21*st*. of *April* last, from *Ann Lee* of the same Parish. The Evidence against the Prisoner was, that he coming to the House of the Prosecutor about Ten of the Clock at Night, and that he pretended to buy a Hatband, upon which the Maid let him in and called down her Mistress, and the Prisoner under pretence of desiring to see a piece of Ribbon, ran away with the said Ribbon; but he coming by the next day, the Maid saw him, whereupon, her Mistress caused him to be Apprehended. The Prisoners Defence was, that he was going to *Rumford* for a Horse for his Master (as he pretended, and that he knew nothing of the Ribbon; but he having none to appear in his behalf, and it being look'd upon as a frivilous Excuse, and the Prosecutor Swearing positively that he was the person; he was found Guilty to the value of 10*d*.

*John Hellier*, of the Parish of St. *Bridgets* alias *Brides*, *London* was Indicted for stealing a silver Hilted Sword, on the 11*th*. of this Instant *May* from *Thomas Chaffin*, value 50*s*. The Evidence against the Prisoner was Mr. *Chaffin*, who deposed that he was standing by the Water-side at *Dorset* Stairs to see the King take Water, that amongst the Croud he felt his Sword suddenly snatched from his Side, and the Prisoner standing next him, he seized him, but the Prisoner dropped the Sword, whereupon he was Apprehended. The Prisoner making but a slender Defence for himself, and being [illegible] found Guilty of the Fact.

*Margaret Jones* of the Parish of St. *Giles's Cripple-gate*, was Indicted for stealing from *Simon Sachin*, on the 1*st.* of this Instant *May*, Two *Holland* Shifts, value 8 *s.* One pair of Thread Stockings, value 9*d.* Two Quoifs, value 2 *s* 6*d.* and 3 *l.* 9 *s.* in money, with several other Goods, to the value of 4 *l.* 10 *s.* The Evidence for the King was *Sachin* and his Wife, who deposed that the Prisoner was Employed as a Nurse, and that they were abroad, and coming home, missed the said Goods and Money, but it being only proved [illegible] the Two Shifts which was by her own Confession, and [illegible] sold them, and the other Goods and Money not being proved upon her, she was brought in Guilty to the value of 10 *d.*

*John Smith*, a Boy about 12 Years of Age, of the Parish of St. *Botolph* without *Bishops-gate*, was Indicted for stealing One silver Spoon, value 4 *s.* from *William Hudson*, on the 9*th.* of this Instant *May*; but there appearing no Evidence against him but the Constable, who deposed he found no Spoon about him, he was Acquitted.

*Alice Clark*, of the Parish of St *Peters Cornhill*, Indicted for stealing Nineteen pound weight of Cheese, on the 13*th.* of this Instant *May*, from one Mr. *Doudel* Cheesemonger. The Evidence was Mr. *Doudel* and his Apprentice, who deposed that the Prisoner coming into the Shop, as she usually did in a Morning to buy a pound of Cheese, and sometimes Butter, that he had several times missed some quantity of Cheese, whereupon he suspected the Prisoner; and she coming on the day above said, to buy a pound and a half of Butter, whilst his Back was towards her, she conveyed the said Cheese into her Coat, and was going away, but he Apprehended her some few paces from his Door, and found the Cheese about her; the Prisoner confessing the Fact, she was found Guilty to the value of 10 *d.*

*William Doudle*, of the Parish of St *James's Westminster*, Gent. was Indicted for Killing *Aaron Lee*, of the *Green-Dragon* in the *Pall Mall*, on the 5*th.* of *November* last. The Evidence for the King, deposed that the Prisoner coming into the House of the Deceased, and asking if his Boots were cleaned (he Lodging in the House) was answered by the Deceased's Wife who was to clean his Boots when he had got the Key of his Chamber? upon which, he went to some Company that was in the House and drank with them; but the Deceased understanding that the Prisoner had made a Clamour about his Boots, asked him the reason of it: upon which, they grew to very abusive Language, insomuch that the Prisoner drew forth his Sword and Scabbard, and the Deceased had the Fire-fork in his hand, for that he had been stirring up the Fire; and upon other aggravating words on both sides, the Prisoner drew his Sword out of the Scabbard and struck at the Deceased, and the Deceased struck the Prisoner and knocked him down: but it so happened, that the Deceased received a Wound by a Thrust in his Navel the depth of Six Inches, of which Wound he languishing, died Six days after; and it was further proved, that the Deceased received the Wound before the stroke fell upon the Prisoner. The Prisoner made his Defence, that he designed no Quarrel with the Deceased, but that they before that time were always intimate Friends, and that the provocation was given first by the deceased, and that he struck him first with the Fork; all which, not countervailing with the Evidence against the Prisoner; he was found Guilty of wilful Murther.

*Edward Carter*, of the Parish of St. *Andrew Holburn*, was Indicted for stealing a silver Tanckard, value 5 *l.* on the 21*st.* of *April* last, of the Goods of *William Faulter* of the same Parish: The Evidence deposed that the Prisoner came into the House of the Prosecutor, and took the said Tanckard and ran away with it; but being pursued, he droped the Tanckard from under his Arm. The Evidence being very full against him, he was found Guilty of the Felony.

*William Cook*, of the Parish of St. *Martins* in the Fields, in the County of *Middlesex*, was Indicted for Killing *Henry Smith* of the same Parish, with a Raper value 2 *s* on the 9*th.* of *April* last, giving him a mortal Wound on the left part of the Belly, of which Wound he died on the 15*th.* of the same Instant. The Evidence against the Prisoner deposed that the Prisoner and the deceased being both Porters, and plying at *Charing Cross* Stairs after they had been drinking together, took the occasion to quarrel about a Burthen that was carried by another Porter, and thereupon went home and fetched each one of them a Sword, and went to the Water side and struck at each other; but the prisoner happening to give the other a Thrust in the Belly, whereof he died as afore-said. The prisoner for his defence, proving that the other Challenged him, and there appearing no premeditated Malice, he was found Guilty of Manslaughter only.

*Jonathan Bridgeman*, of the parish of St. *Martins* in the Fields, Indicted for Killing *Elizabeth Bridgeman* his Wife, on the 2*d.* of *April* last, with a Gouge, value 1*d.* The Evidence for the King, deposed that his Wife and he happening to have some Quarrel about their own Child; she driving him into extream passion, he on a sudden took up a [illegible] Instrument called a Gouge, of a Carpenters that was there at work, and threw it at her, and hit her on the left part of the Head, which stuck to it, that he pulled the Handle off in getting it out, and wounded her Four Inches deep, on which Wound she died on the 15*th.* of the same Month; which being proved very fully against him by the Carpenter that was there at work, and others; and not making any defence for himself, but that he did not think to Kill her; he was thereupon, brought in Guilty of wilful Murther.

*Mary Cale*, of the parish of St. *Martins* in the Field, in the County of *Middlesex*, Indicted for stealing one Gold Enamel'd Watch, value 30 *l.* and another Enamel'd Watch, value 10 *l.* a Necklace of Pearl, value 100 *l.* Fourteen pieces of Gold, value 14 *l.* with several other things of the Goods of Capt. *George Sandilon*. The Evidence for the King deposed that she being formerly a Servant to Madam *Amphrilis Chisfinch* at *Gravesend*, came down thither under pretence to visit her Lady, and that the in the Night-time, about one of the Clock broke in at a Celler Window, and got a Board and conveyed her self into the said Celler, after which, she made a Hole in the Door that went up Stairs, and slip'd back the Bolt, and by that means got into her Ladys Chamber, from whence she took the afore said Goods, and made her escape to *London*, which after some enquiry, she was found Lodging in the *Strand*; where she was Apprehended with most part of the said Goods in her possession. The prisoner having nothing to say in her own Defence, but in a manner confessed the Fact, she was found Guilty.

*Thomas Spencer*, of the parish of St. *Ann Westminster*, was Indicted for stealing, on the 1*st.* of *April*, from Sir *John Rersby*, Kt. One silver Stand, value 4 *l.* 10 *s.* One silver Ladle, value 6 *l.* Five silver Forks, value 3 *l.* Three silver Spoons, value 35 *s.* a Salver, value 5 *l.* One silver Gilt Cup value 40 *s* One silver Pepper-Box, value 30 *s.* The Evidence for the King, deposed that the prisoner coming out of the Country, came to Sir *John Rersby*'s House, and offered himself a Servant, but Sir *John* having no occasion, he entertained him so far as to give him maintenance, till such time as he should have a place vacant, and thereupon wrote into the Country to his Friends for a Character of him; who satisfied Sir *John*, that he had done some dishonest things in the Country, and that he was not a Servant fit for him; but some little time after, the aforesaid Plate was missing, and the Suspition grounded upon this person, by reason he came not to the House after the Plate was stolen; together with other Corroborating Evidence, as that of pawning the gilt Cup for 10 *s.* at an Ale-house in *Long-Acre* which was fully proved against him; and he making some small Evation, as if he had it of one *Groves* who owed him money; but this being looked upon as an Excuse, and not proving it, he was found Guilty of the Felony.

A Person was Indicted for Committing a Rape upon the Body of a Young Woman on the 2*d.* of *March* last: The Evidence was heard at large on both sides; and upon a full hearing of the Matter, the Prosecution was looked upon in the Conclusion, as a Design to get money, and so the Prisoner was found not Guilty.

*Francis Simons*, and *Elizabeth Pitcher*, of the parish of St. *Giles's* in the Fields: The former was Indicted as Principal and the latter as Accessary, to the stealing Nine Dozen pair of Worsted Stockings, value 21 *l* on the 8*th.* of *May*, of the Goods of *Thomas Lushington*. The Evidence against the prisoner was Mrs. *Pattison*, who deposed that the said *Lushington* left the said Goods in her House; and that the prisoner *Simons* Lodging in her House, she missed the said Goods, and that part of them were found in the Custody of *Elizabeth Pitcher*, who proved in her own Defence, that she bought the said Stockings of *Simons*, and that he told her he took them in part of payment for a Horse: And *Simons* for his Defence, said he had them of one *Barret*, and being found in several Stories: he was found Guilty, and *Elizabeth Pitcher* was Acquitted.

*John Snape*, of the parish of St. *Leonard Bromley* in the County of *Middlesex*, was Indicted for stealing from *William Johnson* Three Smocks, value 12 *s.* Three Flaxen Sheets, value 12 *s.* with other Linnen, &c. The Evidence was, that the owner of the Goods and his man, who saw him take the said Goods as they hung near his House; and pursuing of him he droped them, and but slightly denying the fact, and appearing to be an Old Offender, and well known in Court, being Branded in the Hand, was found G[illegible] of the Felony.

*William Knight*, and *Judeth Knight* his Wife, and *Anthony Dunn*, of the parish of St. *Martins* in the Fields, was Indicted for stealing Five *Holland* Smocks, value 20 s. Four Yards of *Holland* value 16 s. Fifteen pieces of Gold, and 7 *l.* in money, on the 29*th.* of *April* last, of the Goods of *Mary Sheapherd*, out of the House of the Countess of *Orrery* in *Park Place*. The Evidence for the King, deposed that there was a Ladder set up against the Window out of which Window they conveyed the aforesaid Goods: And there being no positive proof against the prisoners, but only Circumstantial, were all three Acquitted.

*Edward Hide*, and *Thom Wilks*, of the parish of St. *Giles's Cripple-gate*, were Indicted for entering the House of *Edward Pye*, of the same parish, and stealing one silver Spoon, value 9 s. and a Childs Correl, value 14 s. on the 3*d.* of this Instant *May*, about Six in the Evening. The Evidence against the prisoners, deposed that the said *Pye* and his Wife being abroad, the said *Hide* and *Wilks* was seen to peep through the Key-hole, and after wards *Hide* entered the House, and went up Stairs, which a Neighbours Apprentice perceiving, came into the House and seized the said *Hide* in a Chamber, and that *Wilks* was seen to stand by a Wall near the House (who was likewise Apprehended:) and it was further alledged, that the said Spoon and Correl was removed from the place where they lay into another Box, or Trunck, and several pick-lock Keys found with them, which were produced in Court; all which, being fully proved against them, and they having no other Defence for themselves but that they went to see for one that Lodged thereabouts, and mistook the House. *Edward Hide* was found Guilty of the Felony and Burglary, and *Thomas Wilks* Acquitted, forasmuch that it could not be proved he entered the House, altho' he had been Burnt in the Hand before.

*Ann Short*, of the parish of St. *Sepulchres*, was Indicted for stealing, on the 25*th.* of *April* last, One Watch, value 40 s. One Diamond Ring, value 40 s. and 27 s. in money, of the Goods of *Henry Green* of St. *Ann Black-Friers*: The Evidence was *Henry Green*, who deposed that he being a Grinder, the prisoner came to fetch a pair of Sheers that was Grind, and that immediately after she was gone out of the Shop he missed the said Goods, and thereupon he ran after her and Apprehended her, and caused her to be Searched, but could find none of the said Goods, until about a Week or Ten Days after, where he found them in a Drawer in his Shop, and did imagine the prisoner had conveyed them thither again, but the prisoner for her defence said she never saw them, and having a great Number of sufficient Witnesses, to prove that she was a person of very honest conversation all her life time: and the Court being well satisfied with the Evidence on her side; and several persons offered to prove that the prosecutor was but little better than a Pilferer: She was Acquitted.

*Alice Millikin*, *David Millikin*, *Mary Millikin*, and *Martha Morgan*, of the parish of St. *Giles's Cripple-gate*, were Indicted for Clipping, Filing, and Diminishing Ten pieces of Silver, value 1 s. each piece, of the Coin of King *Charles* the First; and Ten pieces of Silver, value 1 s. each piece, of the Coin of Queen *Elizabeth*, diminishing from each Shilling to the value of 2 *d.* The Evidence for the King deposed that the said *Alice Millikin*, together with the said *David Millikin* and *Mary* his Wife was seen through a Window (which belonged to their Chamber) to Clip the said money; whereupon information was given to other persons, who saw it also, and thereupon got a Constable and broke open the door upon them; where they found *Alice Millikin* the Mother with a pair of Sheers, and a Shilling half clip'd in her hand, which were produced in Court, and her Son *David* receiving the Clippings as she Cut them off, but *Mary* his Wife was a sleep upon the Bed, and *Martha Morgan* was taken upon suspition: The prisoner *Alice Millikin* Confessed that she was induced to the Trade by one Mrs. *Chaston*, and that the rest of the prisoners were innocent, but it being proved that her Son was actually concerned with her in the Fact, was found guilty of the High Treason likewise, and the other two Acquitted, it not being proved they were concerned in this wicked Act.

*Henry Row* a Soldier of St. *Alhallows Barkin*, was Indicted for Killing *Barnaby Reeve* with a Musquet value 5 s. on the 13*th.* of *May*, it appeared by the Evidence that the deceased came to see the *Tower* with other persons, he happened to jostle the piece out of the hand of the prisoner who was Sentinel, the piece falling to the ground, and going off, shot the deceased in the shoulder, of which he died the 15*th.* Instant, the prisoner was Acquitted.

*Edward Sea*, of the parish of *Edmonton*, in the County of *Middlesex*, was Indicted for Killing *William Ward* his Appren-
[illegible]

king him over the head three several times. The Evidence against the prisoner, deposed that he coming into the Work-Room (being a Silk Stoking Weaver) he asked the Boy when he had cleaned his Frame, and the deceased answered at *Easter*, at which he struck him as afore said, after which he died within the space of half an hour; but there being several Chirurgeons which viewed and searched the head of the deceased, and attested that they could not find any cause of his death to proceed from the Blow, but rather looked upon it to be some violent Fit: and the prisoner having almost Twenty credible Witnesses to attest that he was no ways given to passion, or that he ever beat any servant unlawfully, he was Acquitted.

*John Monday* alias *Mowbray*, of the parish of St. *Dunstans* in the West, was Indicted for Killing *Richard Simpson* on the 16*th.* of *March* last with a Quart Pot: The Evidence against the prisoner was, that the deceased and the prisoner drinking together, there happened a Quarrel upon the deceased, giving the prisoner the Lye, upon which, after some other aggravating words and a small scuffle, the prisoner struck the deceased with a Quart pot on the left part of the Head, of which Wound on the 30*th.* of *April* following he died: but a Chirurgeon, an Evidence for the prisoner attesting that the Wound was perfectly cured, and that he died of a *Fever*, the prisoner was Acquitted.

*Parish Rose* and *Edward Smith*, of the parish of *Stepney*, were Indicted for stealing, on the 31*st.* of *April*, a Cambler Coat and other Apparrel, to the value of 20 s and upwards, of the Goods of *William Barnet* of the same place. It appearing by the Evidence, that the prisoners entered the House of the prosecutor in the day time and took the Apparrel, but was pursued by a Neighbour, and *Smith* dropped some of the Goods, and when they were Apprehended, the rest of the Goods found in *Rose's* Breeches, and the Evidence being very plain against them, they were both found Guilty of the Felony.

*Mary Wild* and *J. -- H --* of the parish of St. *Mary Whitechappel*, Indicted for stealing on the 12*th.* of *April* last, a Serge Petty-coat, a Waistcoat, a Gown, a Mohair Petty-coat, with other wearing Apparrel, and a Neft of Drawers, in all to a considerable value from *John Spencer*. The Evidence was *John Spencer*, who attested that the prisoner *Wild* being a servant to him, lay in the same Room where he and his Wife lay, and that in the Night-time she took the said Goods and made her escape; when the prosecutor having some intelligence, that she was seen at the House of *H-----* he made search, where he found the Neft of Drawers but no other Goods, and some time after got the prisoner *Wild* Apprehended, and finding most part of the Goods upon her, was carried before a Justice and confessed the Fact, notwithstanding it upon her Tryal, she was found Guilty to the value of 10 *d.*

*Martha Ryan*, of the parish of St *Andrews Holborn*, Indicted for stealing a Silver Thimble, value 1 s. a pair of Black Silk Gloves, value 1 s. and a Morning Gown from *Anne Taylor*. It appeared upon the Evidence that she was a servant to the said *Taylor*, and had put the said Goods in her Trunck which being found, she said that she put them there not to keep, she was brought in not Guilty.

*Elizabeth Wally*, Wife of *John Wally*, of the parish of St. *Mary Whitechappel*, was Indicted for stealing several pieces of Lace of a small value, on the 21*st.* of *April* last, from *Anne Smith*, which being proved by her own Confession, was found Guilty to the value of 10 *d.*

*John Holmes* of *Stepney*, Indicted for stealing Fifty Minion-shot, value 40 s. of the Goods of Capt. *Christopher Capel*, out of his Ship, after full Evidence, was found Guilty to the value of 10 *d.*

*Elizabeth Lauder*, of the parish of St. *James's Clarkenwell*, Indicted for stealing a Gold Ring, value 17 s from *Edward Turnbul*. The Evidence was, that the said *Turnbal* going to *Clarkenwell Bridewell*, to see some Friends there, he saw the prisoner, which after some discourse with her, and drinking two Quarterns of Brandy, he missed the said Ring from off his Finger; but he not swearing positively she took it, but that he might as well have drop'd it, she was Acquitted.

*Susanna Morrice* alias *Arnold*, of *Stepney*, Indicted for breaking the House of *William Taylor* in the Night-time (with two other Accomplices not yet taken) and taking thence, Two silver Tasters, value 5 s. Fifty pound weight of Sugar, value 20 s. which being fully proved against her by the Watchman that found the Celler-door open, and she hid between two Hogsheads, and the Sugar lying not far a distant, and she having no other plea but that she wanted Lodging, she was found Guilty of the Felony and Burglary.

*Thomas Baxter*, of the parish of St. *Mary Islington*, Indicted for breaking and entering the House of *Joseph Mons*, of *Strond Green* in the same parish, in the Night-time and breaking open three Chests, taking thence a Campaign Coat, value 5 s. one Alamode Hood, value 2 s. 6 *d.* with several other wearing Apparrel and Houshold Goods: The Evidence against the prisoner, was the Wife of the said *Mons*, who attested that she having given the prisoner leave to lye in the Barn some two Nights before; and that he understanding
[illegible]

and took the said Goods, and upon his opening the last Chest of the three, which was in the Chamber where she lay, She heard him: and that she perceived that it was he by the light of the Moon-shine, and the Prisoner not being able to prove where he was that Night, with other agreeing Evidence, he was found Guilty of the Felony and Burglary.

*John Thompson*, of the Parish of St. *Mary Lincoln*, indicted for stealing 2 Gold Rings value 12 s. and 5 s. in Money, from *John Warner* on the 19th of *April* last. The Evidence against the Prisoner, was the Wife of *John Warner*, who deposing that the Prisoner took a Lodging of her, on the Night aforesaid, and that she being up late, heard the money fall upon the Floor, and ran up Stairs, but found the door locked, which She caused to be opened, and had the Prisoner apprehended and searched, and finding the Rings upon him which were had took out of a Trunk in that Room: The Prisoner excused it, that the money dropped out of his pocket, and he knew not how the Rings came in his Sleeve, he was found Guilty to the value of [illegible]

*John Perry*, *John Shipton*, [illegible] Parish of St. *Martins* in the *Fields*, indicted for stealing a Case of Chirurgeons Instruments, value 3 *l.* and a Sword, value 15 s. from *Robert Hey*: who deposed that drinking at a Brandy Shop in Suffolk with the Prisoner, he missed his Case of Instruments and Sword, but he not swearing positively that they took them out of his pocket, and he being in drink: the Prisoners were Acquitted.

*Richard Roberts*, of St. *Giles's* in the *Fields*, indicted for Robbing *Zachary Conner* a Boy, on the high way, about 7 at Night, on the 26. of *March* last, of a Beaver Hat, value 40 s. The Evidence deposing that the said *Conner* coming along, met *Shandler*, and meeting with the prisoner, a Soldier, and 3 Women, that upon some occasion the Prisoner struck the said *Conner* a box on the Ear, and struck off his Hat, and ran away with it, which *Conner* taking notice of him by the light of a Flambeaux that passed by, saw him since days after taken up on another Robbery, caused him to be charged: The Prisoner said nothing material in his defence, he was found Guilty of the said Robbery.

*John Manwaft* and *Mary Lab*, Indicted for stealing one Diamond Ring, value 4 *l.* One Gold Ring set with an Amethist, value 20 s. One Gold Buckle, value 7 s. Twenty pieces of Gold Duckers, valued at 5 s. a piece, on the 20th of *April* last, from one *Christopher Baker*; who, as he was going into the King's Chappel, lost the aforesaid Goods out of his Pocket, a Ring and several of the pieces of Gold being found in *Mary Lobs* custody, and [illegible] All which being fully proved against her, and she being an old Offendor, and known to Harbour Pick-pockets and idle Persons in her House for about these seven years past, *John Manwaft* was found Guilty of the Felony, and *Mary Lab* as Accessary thereto.

*Elinor Rogers* and *William Howard* of St. *Pauls Shadwell*, Indicted for stealing one Venetian Neck lace, value 3 *l.* One Silver Trumble, value 9 *d.* One piece of Galloon, value 20 s. and 12 *l.* in Money, from *Sarah Hankes*, Widow, of the aforesaid Parish, on the 14th Instant. *Sarah Hankes* the day before Hiring the said *Rogers* to be her Servant, her Mistris going abroad on *Saturday*, left her in the House: and at her return missing the aforesaid Goods, the *Mistris* following made diligent enquiry after her, and accidentally met her in *Chipside Street*, and *Howard* with her; whereupon forming of them, found part of the Money in her custody, and the Neck-lace about her Neck, which she not denying to have taken away from the House of Mrs. *Hankes*, she was brought in Guilty: but *Howard* making a plausible defence, for himself, was found Not Guilty.

*Hannah Wilkins*, of the Parish of St. *Stephen Coleman street*, was Indicted for Feloniously taking away 10 Pewter Plates, value 6 *s.* on the 6th Instant, from *William Long* of the same Parish: the Constable of the Parish appearing against her, and gave in Evidence that he took the Plates in her custody, and that she was a person of a bad life and conversation: and having little to say in her own defence, she was found Guilty.

*Katherine Cripps*, Indicted for stealing from *David Millington*, on the 16th of *April* last, one Silver Whistle, value 4 *s.* One Silver Bowl, value 4 *l.* One Dram cup, value 4 *s.* One Neck-lace, value 14 *s.* a Childs Coat, value 5 *s.* and several other Goods of a considerable value, *&c.* The Prosecutors Wife gave in Evidence, that passing by the Shop of the Prisoner, she being a Sale woman, or a Dealer in Childrens Coats, saw a Childs Coat in the Shop Window, taxed it to be hers: but the Prisoner proving by good witnesses how she came by the said Coat, and found no other of the aforesaid Goods in her custody, she was thereupon brought in Not Guilty.

*Edward Hide*, *William Cole*, *Charles Littleby* and *Ann Littleby*, was Indicted for Breaking the House of *Paul Bedwell*, of the Parish of St. *Bartholph Bishopsgate*, on the 16th of *March* last, and taking away two silver Spoons, value 12 *s.* four Pertcoats, two Laced Coyfes, Silver Buttons, and several other Goods, to the value of 20 *l.* the said *Bedwell* Deposing, that the Prisoners got into his House about Eight a Clock in the Evening of the afore said 16th of *March*, the Doors being fast Locked. And Deposed, that the said *Cole* and *Littleby* were Accessaries to the said Felony, and bought the Goods of the said *Edward Hide*: but it being not fully proved against them, they were all brought in Not Guilty.

*Richard Thomas*, *Thomas Gardiner*, *Nicholas Houghton*, *Richard Williams* and *John Shaw*, of the Parish of St. *Pancras*, was Indicted for killing *Samuel Carlile*, on the 15th of *May*, near St. *Pancras* Church, giving him a mortal wound under his right Pap, of the depth of four Inches, with a Sword of the value of 5 *s.* *Richard Thomas* as principal, *Gardiner*, *Houghton*, *Williams* and *Shaw* as Abettors thereunto. The Evidence for the King deposed, that the Prisoners came into an Alehouse to Drink, and having not Money to pay the Reckoning, went out of the House without paying, whereupon they were immediately pursued by some Labouring Men, that Worked near the Alehouse, to Apprehend them; but the prisoners stood upon their guard, and swore they would kill every Man of them if they continued to pursue them: whereupon a Combat happened, the prisoners drawing their Swords, killed the aforesaid *Carlisle* upon the spot, the Swords being produced in Court all bloody: and the Evidence being so clear against them, they were all brought in Guilty of wilfull Murther.

*The Trials being over, the Court proceeded to give Sentence, as followeth.*

Burne in the Hand Seven, viz.

*Henry Dixon*, *Thomas Griffin*, *Griffen Ivons*, *Edward Carter*, *William Cole*, *Thomas Sumner*, *Susanna Morice*.

*Ordered to be Whipt*, 8 viz.

*Rob. Calcraft*, *Margaret Jones*, *Alice Clark*, *John Snape*, *Mary Wild*, *Jane Hems*, *John Thompson*, *Ann Lee*,

Received Sentence of Death 16, viz.

*Edward Hide*, *Alice Mannion*, *David Millington*, *John Hellier*, *William Deadle*, *Jonathan Bridgman*, *Phillis Rose*, *Edward Smith*, *Thomas Baxter*, *Richard Thomas*, *James Cardiner*, *Nicholas Houghton*, *Richard Williams*, *John Manwaft*, *Mary Lab*, *Elinor Rogers*,

*Alice Mannion*, *Mary Lab*, and *Elinor Rogers* pleading their Bellys, a Jury of Matrons were impannelled, to search them who gave in their Verdict in the Negative.

The Judgment of *John Boyce* was deferred till the next Sessions.

*Ordered to be* Transported 3. viz.

*Nathaniel Thompson*, *Francis Stokes*, *Mary Cole*.

The coining 5 Shillings was Order'd to Death, on *Wednesday*, the Seventh day of *July* next, by 7 in the Morning.

GOD SAVE THE KING.

*This may be Printed*, R. L. S.
*May the 22d.* 1686.

## ADVERTISEMENT.

WHereas in the *Account of the Proceedings of the Last Sessions*, published the 19th day of April *last*, it was among other things Inserted, That the Right Honourable the Earl of Stamford *was likewise discharged by His Majesties Gracious Pardon*. Now these are to certifie the Reader, That the same was a mistake, for that his Lordship came to the said Sessions upon no other account than to hear the Tryal of one Jacob Joyner, Son of one Joyner that keeps the Bull-head Tavern at Charing-Cross, and commonly called and known by the Name of Cood Joyner, which said Joyner was by the Grand Jury of Westminster found Guilty of Robbing his Lordship of a Jewel worth about 7 or 800 l. and the Witnesses bound over to prosecute, which Witnesses attended for that purpose; but the Court taking notice that the Felony being committed before the 10th of March last past, was Pardoned by His Majesties late Gracious and General Pardon) did thereupon discharge Joyner of that Felony by Vertue of the said Pardon, and dismissed the Witnesses from further Attendance on that Court; but Joyner is continued in Custody upon an Act on of Trover brought for recovering the said Jewel, and another for Scandalum Magnatum, wherein the Damages are laid 10000 l.

LONDON, Printed by *E. Mallet*, next Door to Mr. Cheswell Coffee-house at Fleet [illegible]

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# AN ACCOUNT OF THE PROCEEDINGS AGAINST Samuel Johnſon:

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## Who was Tryed at the King's-Bench-Bar, *Weſtminſter*; For High Miſdemeanour: And found Guilty of Writing and Publiſhing Two Seditious and Scandalous LIBELS againſt the Government, on *Monday* the 21*th.* of *June.* 1686.

*Samuel Johnſon* having been Arraigned, upon an Information, for high Miſdemenours, in Writing, Printing, and Publiſhing two Scandalous and Seditious Libels, &c. And thereto pleading *Not Guilty*; was, by a Rule of Court, brought again to the Court of *King's-Bench*, *Weſtminſter*; on *Monday*, *June* the 21*th.* in Order to take his Tryal: When as a *Jury* of Knights and Gentlemen, of the County of *Surry*, being Sworn the Information was read; the Subſtance of which was, That he, the Priſoner, had, in the Pariſh of St. *George's Southwark*, on the 25*th.* of *May*, in the Second Year of his Majeſties Reign, malitiouſly and deſignedly Publiſhed two Pernicious, Scandalous, and Seditious Libels, to raiſe and ſtir up Sedition and Rebellion in his Majeſties Liege-Subjects, &c. The Title of One being, *A Humble and Hearty Addreſs to all the Proteſtants in the Preſent Army.* And the Other, *Viz. The Opinion is this, That Reſiſtance may be uſed, in caſe our Religion and Rights ſhould be Invaded.* Both of which were therein ſpecified at large; tending to withdraw them from their Duty and Allegiance, and to excite and ſtir up the Souldiers, &c. to Mutiny and Rebellion, &c. After this, the Information was, by the King's Council, opened to the *Jury*, as to the Nature and Circumſtances, together with the evil Conſequences that might attend ſuch bold and dangerous Attempts: which being rendred largely and exactly as to the Particulars mentioned in the ſaid Information, wherewith the Priſoner was Charged, they proceeded to call their Witneſſes to prove the Fact.

And *Firſt*, Mr. *Belamy*, at the *Three Bruſhes* in *Southwark*, being Sworn, gave Evidence, That coming acquainted, ſometime ſince, with the Priſoner; and about a Fortnight before *Whitſuntide* laſt, diſcourſing with him, the ſecond of theſe Libels was mentioned; and ſoon after, he ſent him a Box with ſome Rheams of them in it, to be diſpers'd; and gave him notice, that he had a ſecond Paper in the Preſs; and withal, a Caution not to Publiſh thoſe he had ſent before, till he had received that; which proved to be the former Libel before mentioned. And further, That about ſix or eight Months before that, the Priſoner had ſent him other Libels to diſperſe; and being ſhewed the Libels mentioned in the Information, he depoſed they were the ſame that had been ſent him. His Man likewiſe gave Evidence, That he had received a Box nailed up, but could give no Account of what was in it, as to Particulars.

*Ann Whitny*, ſometimes Servant to the Priſoner, being Sworn, gave Evidence, That by her Maſter's or Miſtriſs's Direction, ſhe was not certain which, ſhe

ſhe took a Porter, and cauſed him to carry a Box, wherein one of the Libels mentioned (*Viz.* the ſecond) was incloſed to Mr. *Belamy*; and that ſhe had, by the like Order, carried other Papers looſe, ſome of which were the *Addreſs*, &c. And being asked by the Priſoner, how ſhe knew that; her reply was, That ſhe knew it, inſomuch that ſhe had read the Title, and very well remembred it.

The Porter that carried the Box gave Evidence that the Maid had hired him to carry a Box to the Three Bruſhes, and that ſhe went with him, and paid him according to Agreement, and that he took it up in *Spittle-fields*. After this, The Meſſenger, who ſearched the Priſoners Lodging with the Right Honourable the Earl of *Sunderland*'s Warrant, being Sworn, gave Evidence, That he found a Paper in Writing upon a Table or Shelf, which appeared in Court to be part of the Copy, or the ſame with the Paper, *Intituled the Opinion*, &c. He Swearing upon Sight thereof, that it was the ſame he found in the Priſoners Lodging: Then was the Book of the Veſtry, or Pariſh Affairs of St. *Pauls Covent-garden* produced, wherein the Priſoner ſometimes paſt had given an Acquittance for Money received as an Aſſiſtant Curate, &c. which being compared with the Paper, ſeemed not to differ in the Hand; but no other Evidence appeared in that Caſe, then that the Book had been always kept in the Veſtry, and for the moſt part under Lock and Key; and it being put to the Priſoner, he did not greatly deny it; when for a further Confirmation, *John Darby* a Printer, and his Wife were Sworn, The former Depoſing, that he had Printed a Book for the Priſoner from the Manuſcript, and that Hand was very like that of the Libel produced in Court, but he had never ſeen him Write, and therefore could not be poſitive, that that Manuſcript was his own Hand; as for his Wife, her Evidence was, that the Priſoner paying her ſome Money, ſhe had given him an Acquittance, but that, as ſhe conceived, he wrote all but her Name, for going up Stairs, he ſoon returned with an Acquittance, which ſhe Subſcribed. One Mrs. *Culeford* and her Husband, who appeared to be concerned in the management of the Libels, were called; but the former only appeared and an Information being Exhibited againſt her, ſhe pleaded Not-Guilty. This being what materially was given in Evidence for the King, the Priſoner had leave to make his Defence; who after ſome Diſcourſe, not pertinent to the matter alledged; that he had been confined, and had not had opportunity to prepare for his defence, as not having leave to go to his Council; to which the Court replied, that he had leave upon the Motion made on his behalf, to ſend for Council, and that they ought not to be refuſed coming to him: Then he urged ſeveral other frivolous matters; which being overruled by the Court, he proceeded to intimate, that he hoped, that ſeeing he was Indicted for a Seditious and Scandalous Libel, &c. the *Jury* would conſider whether thoſe Papers they had heard read, were ſo or no, but was told, that the *Jury* ought to conſider it only as to the matter of Fact, whether he was Guilty of Writing or Publiſhing them, &c. and that the reſt lay in the breaſt of the Court to conſider: Thereupon he urged, that though they might be ſent, yet it was no publication as it was layed in the Indictment, becauſe the Box was Nailed. But being fully anſwered in that point, and looſe Papers appearing likewiſe to be ſent, the Council for the King ſummed up their Evidence to the *Jury*, none appearing on the behalf of the Priſoner. After which the Court gave the Charge, putting the Priſoner, as well as the *Jury*, in Mind of the great Miſchief that ſuch Libels might occaſion: And minded him likewiſe, that it was within a ſmall matter of High Treaſon, and might have been raiſed to that degree, were not the Laws, and thoſe who managed them tender of Life, &c. After the Charge was given, the *Jury* withdrew, and returning within a quarter of an hour, brought in the Priſoner Guilty of the high Miſdemeanour.

*This may be Printed*, R. P. *June* 21. 1686.

*London*, Printed for *A. M.* 1686.

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# His MAJESTIES Most Gracious PARDON

K. Gt. Brit. & Ireland
James II. King

VVhich was Pleaded by the Priſoners, convicted of divers *Crimes* and notorious *Offences*, many of which had Received Sentence of Death, *&c.*

AT

# Juſtice-Hall

IN THE

# OLD BAYLY

To the number of Fifty Three, *&c.* on *Monday* the *26th.* of *July*, 1686. *And in the ſecond Year of His Majeſties Reign*:

With the Names of thoſe that were in the *Free-Pardon*, and appeared not.

AS Juſtice and Power, are the indiſpenſable Concomitants of a Royal State, without the Execution of which, the Society of Mankind would return to a *Chaos* of Diſorder, ſo Mercy and Favour ſometimes Royally diſpenced: Is the *Balm* to Heal ſome National Diſquiets? a greater inſtance no preceding time could ever produce than as His Moſt Gracious Majeſty, through the Emunations of his Goodneſs, (though infinitely offended) has Mercifully ſhowed upon his diſloyal Subjects, alſo caſting the Beams of His Gracious Clemency on divers miſerable Malefactors, Doom'd by Law, to participate what their flagitious Enormitys have deſervedly brought upon themſelves, as it were to convince Mankind, whoſe Lives have been a continued Scene of Wickedneſs and Depreavity, to ſpend a New Life, being ſnatched by Merciful Power from the Gates of Death, and Brink of the Grave, by many Degrees beyond what ever could be expected; for though offended Juſtice demands Execution, that

that the Law may have its full Courſe upon them, yet the Benign and Gracious Favour of this offended Lord, to try what retribution they will make, adds a New life to their Days, by ſtopping the Current of the Law, and procuring to thoſe miſerable Wretches, whoſe Capital offences had incurr'd the higheſt of Puniſhment His Moſt Gracious General Pardon, then which, nothing could ever have been of ſuch importance to them on this ſide of Eternity, ſo it ought to Engage them not only for ever to render a grateful acknowledgment, and to admire His Majeſties condeſcending Mercy, but alſo to ſpend the remainder of their Days, in a Faithful Service to their Prince, affording a continual Tribute of Thankfulneſs, whoſe Merciful Compaſſion has raiſed them from the Puniſhment, they deſerved Death; and which, by their good Examples they may incline His Majeſties Heart to afford the like Royal Favour to other Offenders for the future; whereas on the contrary (upon the neglect) they may be Cut down as a Barren-Tree that cumbers the Ground; and that the World may give a future Teſtimony of their Lives and Converſations: The following Account will ſhew you their Names.

On *Monday* the 26th. of *July*, 1686. The Right Honourable Sir *Robert Jefferies*, Kt. Lord Mayor of the City of *London*, with others His Majeſties Juſtices of the Peace for the ſaid City, &c. Aſſembling about Four of the Clock in the Afternoon, at *Juſtice-Hall* in the *Old-Bayly*. The Court being ſat, and Proclamation made, as likewiſe the Priſoners brought up from *Newgate*, His Majeſties Gracious Pardon was Read extending to the deliverance of the Priſoners, &c. In Pardoning them of divers Roberies, Felonies, Burglaries, and other Crimes and Miſdemeanors or which they ſtood convicted, and for which, many of them had at divers Preceedent Seſſions, Received Sentence of Death, &c.

The Names of thoſe Specified in the *Free-Pardon*, and who Pleaded it on their Knees were Twenty Six, *viz.*

| | | | |
|---|---|---|---|
| *Robert Hewet*, | *Elizabeth Churchill*, | *John Cornett*, | *John Boyce*, |
| *Richard Rudd*, | *Thomas Baxter*, | *John Dike*, | |
| *Mellier Thompſon*, | *Richard Roberts*, | *David Millikin*, | |
| *Michael Wakling*, | *Samuel Alderton*, | *Richard Thomas*, | *John Jeſſe*, |
| *Richard Norgrave*, | *Richard Jones*, | *James Cordiner*, | *Richard Edgehill*, |
| *Charles Morgan*, | *Matthew Morgan*, | *Nicholas Haughton*, | *John Tillier*, |
| *Mary Brown*, | *Joan Cook*, | *Richard Williams*, | |

Theſe following Four were in the *Free-Pardon*, but being out upon Bail appeared not, *viz.*

*John Davis*, *John Baptiſt*, *John Gesford*, *Edward Gove*.

Theſe whoſe Names follow, pleaded their Pardon, and are to be Tranſported, *viz.*

| | | | |
|---|---|---|---|
| *Elizabeth Wilſon*, | *Daniel Flower*, | *John Steers*, | *Ellinor Rogers*, |
| *Maurice Archer*, | *Robert Robinſon*, | *Rebekah Roſe*, | *Henry Clark*, |
| *William Cole*, | *Charles Homerſham*, | *Richard Higgiſon*, | *Francis Simons*, |
| *John Hillierd*, | *John Thacker*, | *Mary Cale*, | *William Roach*, |
| *Nathaniel Johnſon*, | *John Crofts*, | *John Mancroft*, | *Elizabeth Tiſdell* |
| *John Lewis*, | | *Mary Luſh*, | |

*Richard Alborrough* was in the Pardon, but pleaded it not.

The Pardon being allowed by the Court, and Pleaded by the Priſoners, the Court broke up, and the Priſoners with Joyfulneſs and Thanks, departed it.

GOD ſave the KING.

*This may be Printed*, July *the* 29th. 1686. R. P.

*London*; Printed, by *D. Mallet*, next Door to Mr. *Shipton's* Coffee-Houſe near *Flee-Bridge*. 1686.

# THE PROCEEDINGS ON THE King's Commissions of the PEACE And *Oyer* and *Terminer*, and *Goal-Delivery* of *Newgate*, held for the City of *London* and County of *Middlesex*, at *Justice-Hall* in the OLD-BAYLY,

The 12 and 13. of *October*. 1687. *And in the 3d. Year of His Majesties Reign.*

AT the Sessions of Peace, *Oyer* and *Terminer*, and Goal Delivery of *Newgate*; Held at *Justice-Hall* in the *Old-Bayly*, on *Wednesday* and *Thursday*, the 12th and 13th Days of *October*, 1687. Before the Right Honourable *Sir John Peak*, Kt. Lord Mayor of the City of *London*, with others of His Majesties Justices of the Peace for *London* and *Middlesex*.

The Jurors were, *viz.*

| London Jury. | Middlesex Jury. |
|---|---|
| *Thomas Purley* | *Randal Nichols*, |
| *James Marueon* | *Randal Nichols* |
| *John Aimery* | *Jasper Hodson* |
| *Joseph Wilson* | *John Blot* |
| *Morrice Waight* | *John Marsh* |
| *Abraham Chambers* | *Thomas Nicholls* |
| *Edward Swingfield* | *John Harrison* |
| *Daniel Taylor* | *Francis Saunders* |
| *John Guest* | *Richard Warrin* |
| *Robert Stepey* | *Daniel Kemp* |
| *Charles Marshal* | *Edward Nichols* |
| *William Turvil.* | *Michael Sheepherd.* |

*The Proceedings were as follow*, viz.

*Thomas Waters*, of the Parish of St. *Bartholomews* the Less, was Tryed for stealing two Yards of Bone-Lace, valued at 16 *s.* from *William Read*, on the 11th of this Instant *October*: Upon Tryal it appeared, that coming into the Shop of the Prosecutor, under pretence of buying a pair of Sleeves, he conveyed the Lace into his Pocket, and fled to an adjacent Ale-house, to which being pursued, he found an opportunity to throw the Lace into the Celler, where it was found; and he having nothing material to offer for himself, the Jury brought him in Guilty, yet but to the value of 10 *d.*

*Elizabeth Handford*, was Tryed for stealing a Tankard, value 6 *l.* on the 27th of *July* last, from *Robert Mabee*, of the Parish of St. *Alhallows Staining*: Upon Tryal the Evidence against her was, that she in the Company of a Man unknown, coming into the house of the Prosecutor, and calling for Drink, took a convenient time when the Woman that drew it was in the Celler to slip away with the Tankard; but she pleading Ignorance, and bringing some persons to testifie her being out of Town the day the Tankard was sworn to be stolen, and that she had never absented or absconded her self upon that occasion, the Jury concluded the Witness might be mistaken in the person, and so acquitted her.

*Mary Bartlet* was Tryed for stealing fourteen Yards of Bone-Lace, valued at 2 *l.* 15 *s* from *Mary Chettle*, of the Parish of St. *Anns Aldersgate*, on the 11th of *October*: The Proof upon Tryal, was, that the Prisoner came into the Shop of the Prosecutor to cheapen Lace, but without making any Agreement, went away with the Lace mentioned, a piece of which was afterward taken about her, and she making but a slender defence, that she took it unknowingly the Jury found her Guilty, though but to the value of 10 *d.*

*William Banister*, *Thomas Done*, *John Lovewell*, and *Margaret Meek*, the three first were Tryed for breaking the house of *Thomas Burret* of *Hampstead*, on the 2d of *October*, in the Night time, and taking thence six Table Cloaths, two Dozen of Napkins, two Caps, a Cravat, eight pair of Sheets, four silver Spoons, one silver Porringer, four Yards of Diaper, a Curral, two Rings, a Rix Doller, and 7 *l.* in Silver, a Petticoat, a Mantua Gown, and other wearing Apparrel to a considerable value. Upon Tryal it appeared, that upon the Robbery being Committed, part of the Mony was found upon search in *Lovewell's* Lodging, hid under his Pillow, in which was the Doller lost, and divers other remarkable pieces, as likewise a Cravat lost at the same time taken about his Neck, and in *Meek's* Lodging divers parcels of the Linnen and other Goods concealed in a Cradle, so that they not being able to give any good account how they came by them, they were found Guilty, but there being no Evidence against *Banister* and *Done*, they were Acquitted.

*Lovewell* being Arraigned upon a second Indictment, for stealing a Corner, a pair of Ruffles, a Whisk, a Ring, a Gown, &c, from *Elizabeth Dod*, of St. *James's Westminster*, he pleaded guilty to the Felony.

*Rachel Pierce*, was Tryed for stealing a Cloath Coat, a pair of Breeches, two Shirts, a Hood and an Apron from *William Meedman*, of St. *Giles's* in the Fields, on the 1st of *August* last, but the Evidence not being sufficient to prove the Fact, she was Acquitted.

*A*——*S*—— was Tryed for stealing twenty four Yards of silver Lace, valu 4 *l.* 16 *s.* from *William Terry* of *Lumbard-street*, on the 6th of *October*: The Proof against her was, that coming into the Shop of the Prosecutor, to buy and cheapen Lace, a piece of Lace immediately upon her departure was found wanting, and she being brought back, droped it from under her Cloaths in the shop, to which, she alledged that she never had it, but that it was acci-

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that the Law may have its full Course upon them, yet the Benign and Gracious Favour of this offended Lord, to try what retribution they will make, adds a New life to their Days, by stopping the Current of the Law, and procuring to those miserable Wretches, whose Capital offences had incurr'd the highest of Punishment His Most Gracious General Pardon, then which, nothing could ever have been of such importance to them on this side of Eternity, so it ought to Engage them not only for ever to render a grateful acknowledgment, and to admire His Majesties condescending Mercy, but also to spend the remainder of their Days, in a Faithful Service to their Prince, affording a continual Tribute of Thankfulness, whose Merciful Compassion has raised them from the Punishment, they deserved Death; and which, by their good Examples they may incline His Majesties Heart to afford the like Royal Favour to other Offenders for the future; whereas on the contrary (upon the neglect) they may be Cut down as a Barren-Tree that cumbers the Ground; and that the World may give a future Testimony of their Lives and Conversations: The following Account will shew you their Names.

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| | | | |
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| *Richard Rudd*, | *Thomas Baxter*, | *John Dike*, | |
| *Mellier Thompson*, | *Richard Roberts*, | *David Millikin*, | |
| *Michael Wakling*, | *Samuel Alderton*, | *Richard Thomas*, | *John Jesse*, |
| *Richard Norgrave*, | *Richard Jones*, | *James Cordiner*, | *Richard Edgehill*, |
| *Charles Morgan*, | *Matthew Morgan*, | *Nicholas Haughton*, | *John Tillier*, |
| *Mary Brown*, | *Joan Cook*, | *Richard Williams*, | |

These following Four were in the *Free-Pardon*, but being out upon Bail appeared not, *viz.*

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| *Elizabeth Wilson*, | *Daniel Flower*, | *John Steers*, | *Ellinor Rogers*, |
| *Maurice Archer*, | *Robert Robinson*, | *Rebekah Rose*, | *Henry Clark*, |
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| *John Hillierd*, | *John Thacker*, | *Mary Cale*, | *William Roach*, |
| *Nathaniel Johnson*, | *John Crofts*, | *John Mancroft*, | *Elizabeth Tisdell* |
| *John Lewis*, | | *Mary Lush*, | |

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515. L. 2. 119

K. London. Middlesex. Sessions. Old-Bailey

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tally fallen down where it was found, but the contrary appearing, and she being known to be a former Offender of that kind the Jury found her guilty within the Penalty of Petty-larcenary.

*Charles Pew*, was Tryed for breaking the house of *John Atkinson* of *Fulham*, on the 1st of *October*, in the Day-time, and taking thence a Saddle, a pair of Boots, a Bridle and a Whip: Upon Tryal it was given in Evidence, that the Prisoner being a Servant to the Prosecutor, found his opportunity to force open a Stable Door by drawing the Staple, and took thence the Goods mentioned, but it only appeared that the Whip was found about him, which he had taken to ride to a place whither his Master had ordered him, the Jury Acquitted him.

*James Law*, was Tryed for stealing one pair of Stockings, a Hood, a Cane with an Ivory Head, from *James Dun* of St. *Andrews Holborn*, on the 8th of *October*: Upon Tryal it appeared that the Prisoner coming into the House of the Prosecutor to inquire for a person, and pretending to stay for him, took the things mentioned out of the Kitchen, but notice being taken of it, and he staying, upon search they were found about him, and he only pleading he was in drink, and knew not what he did, the Jury found him guilty to the value of 10 *d.*

*John Green*, was Tryed for entring the house of *John Marshal* in *Arundel-street* in the *Strand*, on the 27th of *September* last: The Proof against him was, that he was found in the Cellar, and two Ears broken to make him way into it, to which he pleaded he accidentally fell into it in the dark, but there being Iron Instruments found, which were supposed to be those wherewith the Bars were broken, and he looked upon as a pilfering Fellow, the Jury found him guilty of the breaking, *&c.*

*Elizabeth Wood*, was Tryed for firing the house of *Robert Smith* Scrivner in the Parish of St. *Giles's Cripplegate* on the 1st. of *October*: upon Tryal it appeared that a Smoak being discovered, and search made between the Tiles and the Cieling, a Board was found on Fire, and the Prisoner who lived with the Prosecutor in the Nature of a Servant examined, she confessed she had set it on Fire with a Candle, but in Court pleading that she did it accidentally, forgetting her Candle upon being hastily called away with which she had been looking for 1 *s.* 6 *d.* she had laid there, and it not appearing she did it designedly or maliciously, she was Acquitted.

*William Summers*, was Tryed, for that he together with one *Philip Miner* not yet taken, entred the house of *Henry Egles*, of the Parish of St. *Brides*, on the 29th of *September* last, and took thence a Violin, a Flute, a Knife and Fork, a Night-Rail, an Apron, with other Linnen and wearing Apparrel, to a considerable value: Upon Tryal it was proved against him that he had the Violin, which was found where he had disposed of it, nor did he deny it, pretending only he bought it of *Miner*, but being no way capable of giving any good account of himself, he was found guilty of the Felony only to the value of 10 *d.*

*William Wingfield*, was Tryed for stealing a Tankard, value 6 *l.* from *John Lutton*, of the Parish of St. *Brides*, on the 20th of *June* last, which appearing against him by his own Confession, as likewise how he had disposed of it, he was found guilty of the Felony.

*William Gare*, *Robert Andrews*, and *Lewis Hegar*, were Tryed for stealing a Petticoat, Scarf, Hood, Night-lining Ruffles, Lac'd Sleeves and other Goods of the like Nature, to the value of 15 *l.* from *Sarah Feaster* in *Mark-Lane*, on the 3d. of *October*, about eight in the Evening. The Proof against them was, that the same Night the house was Robbed, 3 Men came into the Swan Ale-house in *Fanchurch-street*, and part of the Goods mentioned were found in the Room where they were, upon their going away, without any other Company having been in it, and two of these appearing upon Oath to be *Hegar* and *Andrews*, they were found guilty of the Felony, only & no breaking appearing in Court against them, but there being upon this Indictment no positive Evidence against *Gare*, he was Acquitted.

They were a second time Indicted, for Robbing the Lodgings of *Dionis Lyddal*, of St. *Alhallows Barking*, on the 9th of *October*, and taking thence two Perriwigs, a Beaver Hat, a pair of Breeches, two Velvet Caps, a Pack-Sword, *&c.* and it appearing part of the Goods mentioned was taken about them at the Swan aforesaid, and they making but a slender defence, being no ways able to give any satisfactory account of themselves as to their Reputation, they were found joyntly and severally guilty of the Felony.

*David Faulconer*, was Tryed for stealing a Black Jack Tip'd with Silver, value 4 *s.* from *Thomas Waller*, on the 2d of *September* last. The Proof against him was, that he came into the house, and calling for Drink delayed the time under pretence of staying for a person he then Named, and taking his opportunity went off with the Jack, but being Apprehended, it was found in his Possession; and his Plea being that he was ignorant he had it, or he knew not what he did, the Jury found him guilty but to the value of 10 *d.*

*Mary Tuft*, was Tryed for stealing a Searge Petticoat, value 4 *s.* on the 26th of *August* last, from *Philip Hardy*, with whom she lived in the Nature of a Servant: The Proof against her was, that upon her leaving her Service divers things were missing, and soon after the Petticoat found upon her, and she in her own defence, making only a faint denial, the Jury found her guilty yet only to the value of 10. *d.*

*John Bishop*, and *James Harding*, were Tryed for stealing three Neckcloaths, two Lac'd Caps, a Cravat, and other things of small value, from *George Prudence* of *Stoke-Newington*, on the 4th of *October*: The Proof was, that coming into the house of the Prosecutor, the Prisoners made a Quarrel, and in the Scuffle found means to carry off the Goods; but soon after upon their being Apprehended, part of them were found about *Bishop*, and about *Harding* Strings, a Pistol, *&c.* and both of them look'd upon as Suspicious Persons, they were found guilty to the value of 10 *d.* each.

*Richard Stanwick*, of *St. Pauls Covent-Garden*, was Tryed upon an Indictment of Felony and Burglary, for breaking the house of *John Brace* in the Night time, and taking thence on the 13th of *September* last, six pair of Stockes, a piece of Embroidered Silk, several parcels of Lace and other goods, to the value of 5 *l.* The Proof against him was, that the same Night the Robbery was Committed, he was found at a very unseasonable time of Night trying on a pair of the Shooes in the Street; and upon further enquiry, the rest of the Goods found packed up behind him and it further appearing, that the house had been entred by breaking the Window, he was found guilty as laid in the Indictment.

*M—— D——* and *Elizabeth Yates*, of the Parish of *Christ Church*, were Tryed upon an Indictment for a Trespass, in exchanging Broad Mony for that which was Clipped, and puting it away to the Encouragement of Clippers, at 2 *s.* in the pound advantage: Against whom the Proof was, that *Yates* had given 50 *s.* in Broad Mony for 55 that was Clipped to *D——* and both of them had confessed they had made their mutual advantage in that kind: There was likewise produced in Court about 50 *s.* in Clipped Monys, taken from one of them, and they only pleading that the Prosecution was maliciously designed against them, to prevent the recovery of Monys due upon Bond from the most material of the Witnesses, the Jury found them guilty of the Trespass.

*William Scot* and *John Savage*, were Tryed for stealing four Shirts, one Smock, two Handkerchiefs and a Pinner, from *John Wise*, of the Parish of St. *John Hackney*, on the 6th of *October*: Upon Tryal it appeared against them, that the Cloaths hanging upon the Line to dry, the Prisoners took them thence and fled, but being pursued, part of the things mentioned were found in *Savage's* Pocket, and the other being all along in his Company, their pretence being only that they found them in a Hedge, they were both of them found guilty to the value of 10 *d.*

*Jane Brown*, was Tryed for stealing two Silver Tankards, value 12 *l.* a silver Boar, value 20 *s.* a silver Tumbler, value 30 *s.* a silver Salt, a Mustard Pot, two Spoons, a Porringer, a pair of Snuffers all of Silver, a Brass Snuff-Pan, a piece of Point, and three Cravats, from *Elizabeth Hallis* of the Savoy, on the 3d of *October*:

The proof against her was, that she coming into the house of the Prosecutor to inquire for one Madam *Jones*, found an opportunity to take the Plate and Goods, *&c.* in all to the value of 26 *l.* 12 *s.* and that in her flight she dropped the piece of Point, but being pursued, a person that accidentally justled against her found her out by the rattling of the Plate in her Coat, which upon her being brought back was taken from her, to which she pleaded that she was hired by a fine Gentlewoman in the Street, who had her to the house of the Prosecutor, and going up Stairs suddainly returned and brought her the Plate and Goods mentioned, to carry for her, but her flight appearing, and that she endeavoured to escape out of the *Gate House* in Mans Apparrel

parrel, and no perſon of Credit appearing to teſtifie he ſe duration, ſhe was found guilty of the Felony.

*Thomazine Tally*, and *Sarah Charleton*, the firſt as Principal, and the ſecond as Acceſſary, were Tryed for breaking the houſe of *Thomas Grimes* of *Spittle Fields*, on the 20th of *September* laſt, and taking thence a ſilver Salt, four ſilver Spoons, and other Goods of value: Upon the Evidence it appeared, that the houſe was broken open and entred at a Caſement, and the things mentioned with others of value taken thence, and that upon ſearch a ſilver Salt, three ſilver Spoons, and other things of value were found at a Broakers, in *Petticoat lane*, where the former of the Priſoners had diſpoſed of them, as likewiſe that upon ſearching the houſe of the latter ſome things were found, and that ſhe, *viz. Charleton*, did acknowledge that *Tally* had brought divers Goods to her houſe, though not with her good liking, or at leaſt that ſhe was ignorant, but that ſhe came honeſtly by them, ſo that the Proof being ſlight againſt the latter, ſhe was acquitted, but the former found guilty.

*Thomazine Tally* was a ſecond time Indicted, for breaking the houſe of *Thomas Maſon* of *White-Chappel*, on the 28th of *September* laſt, and taking thence by forcing the Bars out of the Window in the Night-time, *&c.* and taking thence Sheets, Shirts, Pillowbears, Napkins, and other Goods of the like kind, to a conſiderable value; upon which Indictment it appeared that ſhe had brought thoſe Goods to a Broakers to ſell or otherwiſe to diſpoſe of, and was there Seized with them, to which ſhe only pleaded they were given her; but being looked upon as a Notorious Pilferer, and no ways able to make it out, ſhe was found guilty.

A third Indictment was prefered againſt her, for ſtealing at the ſame time a Shirt the Goods of *Robert Outry*, value 2 *s.* 6 *d.* and the Proof being plain againſt her, ſhe was found guilty of the Felony.

*William Gardener*, was Tryed for uttering falſe Money knowingly, which was made of Braſs and other counterfeit Mixtures; againſt whom it appeared that he had often done it, and to make it more current or paſſible, rubed and and waſh'd it, and he having nothing material to offer in his own behalf, the Jury found him guilty of the Treſpaſs.

*Roger Smithers*, was Tryed for Coining and uttering falſe Farthings: The Proof againſt him was, that coming into an Ale-houſe, he called for a Pot of Drink, and gave in payment for it ſix counterfeit Farthings with two good ones, which being queſtioned by the man of the houſe, he proceeded to have him ſearched, when about him were found divers other falſe and Counterfeit, as likewiſe the Clipping of them, or over-pluſs Meltings, which were together with the Counterfeits produced in Court, as likewiſe other Farthings that were found in his Lodging, to which he pleaded he found them to the quantity of 15 *d.* but having formerly acknowledged he took them in *Southwark* Fair, he was found guilty of the Treſpaſs.

*Mary Wotton*, was Tryed for picking the Pocket of *Peter Mingo*, in the Parish of St. *Andrews Holbourn*, on the 15th of *Auguſt* laſt of French Gold and Silver, to the value of 24 *l.* The Witneſs againſt her were *Mingo* and others, who depoſed that ſhe meeting him im *Lamb-Conduit* Fields, they went together, and there continued for ſome time in much familiarity, till ſuch time as ſhe found means to pick his Pocket and depart, but being in a few Weeks found out by the means of a Boy in *Grays-Inn lane*, who directed the Proſecutor to her Lodging, ſhe confeſſed the Fact, and that it was her firſt of that Nature, but that ſhe had diſtributed it to the Whores in the houſe, but upon Tryal ſhe pleaded he had had much familiarity with her, and that inticing her to go with him to *France*, he had given it her with that conſideration, but his poſſitive Teſtimony being otherwiſe, ſhe was found guilty.

*George Clark*, was Tryed for ſtealing two Scarfs, a Meddal, and 5 *l.* 2 *s.* 6 *d.* from *John Bacon* of *Thiſtleworth* in the County of *Middleſex*, on the 1ſt of *September* laſt: The Proof againſt him was, that he Quartering at the houſe of the Proſecutor, took away the Money and Goods out of a Chamber, and that being taxed with it, he had confeſſed it, and that he had ſpent and laid out part of the Mony at *London* upon divers neceſſaries; and it being further proved that the Meddal, *&c.* was found about him, he was found guilty of the Felony.

*John Atkinſon*, was Tryed for ſtealing three Childrens Frocks and two Yards of Calico, value 7 *s.* from *Thomas Sabb*, of the Parish of St. *Andrews Holbourn*, on the 10th of *October*: The Proof againſt him was, that upon taking the Goods being purſued, he droped part of them, and the reſt upon ſearch were found about him, to which he only pleading that he ſaw them by the Kennel, and ſo took them up, not knowing to whom they appertained, the Jury found him guilty to the value of 10 *d.*

*Joſeph Williams*, was Tryed for ſtealing five Yards of ſilver Lace from *John Kidgly*, of the Pariſh of St. *Edmund the King* on the 9th of *September* laſt: The Proof againſt him was, that being ſeen to take it off the Stall, and inſtantly purſued it was taken upon him to which he pleaded he found it where it was droped, but giving no ſufficient Teſtimony of himſelf, he was found guilty to the value of 10 *d.*

*Jane Ratford*, of the Pariſh of St. *Giles's Cripplegate*, was Tryed for ſtealing a pair of Sheets, three Shirts, a Smock, ſix Napkins, a Corner, a ſilver Grater, a pair of ſilver Buttons, a 5 *s.* piece of old Gold, from *Sarah Cornfield*, on the 7th of *September* laſt, and upon Tryal it appeared againſt her, that ſhe had ſold part of the Goods to one Mrs. *Cauthorne* a Broaker Woman, and that a Shift of the Proſecutors was found, with the Mark cut out and very much altered amongſt Linnen ſhe had put out to waſh, and ſhe having nothing material to offer in her own behalf, nor able to give any ſufficient Teſtimony of her good Life and Converſation, the Jury found her guilty of the Felony, though to the value of 9 *s.* only.

*Cibile Jones*, was Tryed for ſtealing twenty four Ounces of *Ruſſia* Beaver Wool, *&c.* from *John Wilks*, of the Parsh of St. *Ann Black-Fryers*, on the 10th of *September* laſt: The Proof againſt her was, that a parcel of the Wool produced likewiſe in Court, was upon her being ſuſpected and ſearched, found about her, and ſhe being charged with taking more, confeſſed ſhe had ſo done, and that ſhe had ſold a parcel or two to a couple of Hatters in *Bride-lane* but in Court ſhe pleaded ignorance, alledging ſhe knew nothing of the Matter, but the Proof as well by the Goods taken about her as by her own confeſſion being plain, ſhe was found guilty of the Felony to the value of 9 *s.*

S—— *W*—— alias *P*—— was Indicted for ſtealing from the Right Honourable *Richard* Earl of *Burlington*, eight Damask Curtains, and other goods to a conſiderable value, but upon her Arraignment ſhe pleading not Guilty, and no Evidence appearing againſt her, ſhe was acquitted.

*Stephen Dagnal*, was Tryed for Marrying one *Sarah Fletcher* at the Pariſh Church of St. *Mary-Le-Bone*, in the County of, *Middleſex*, on the 14th of *January*, 1684. and ſhe being yet alive, Married one *Debora Fell*, at the Church of St *Catharines Coleman-ſtreet*, on the 9th of *Auguſt*, 168*5*. The Evidence againſt him as to the firſt Marriage, was the Clerk of St. *Mary-Le Bon* and others, who depoſed that the Marriage was Regiſtered in that Church Book, and produced in Court a Copy of it, as likewiſe that he had lived with *Sarah Fletcher* as his Wife, and always owned her ſo in every Reſpect, *&c.* and the ſecond Marriage being as plainly proved in the ſame manner and Circumſtances, though upon his Arraignment he had denyed both Marriages, he was found guilty, *&c.*

*William Leaver*, was Tryed for a Treſpaſs, for impoſing a Cheat upon the Poſt-maſter of the General Poſt Office, by bringing Letters as brought by Ships from Foreign parts by Maſters of Ships, *&c.* and receive a Penny for each, when indeed they were no other than Blank Papers ſealed up, and directed by Superſcription to divers perſons in ſundry places of this Kingdom, againſt whom it appeared that he had impoſed upwards of 100 upon the Office, and received Monys for them at the aforeſaid Rate, but the fraud being found out, and he attempring to do the like again, by ſending a Porter with another parcel of upwards 70 of the like pretended Letters, with Order to bring a Note or Mony for them, the Porter was ſtopped, who for his own ſafety, brought thoſe that queſtioned him to the perſon, and the Hand Superſcribing theſe, and the former appearing to be the ſame, and he having nothing to ſay for himſelf, but that they were delivered to him by one *Grey* to convey to the Poſt-Office, he was found guilty.

*John Lowell*, alias *Cook*, was again Indicted and Tryed, for ſtealing a ſilver Cup, value 35 *s.*, a Ring, value 40 *s.* two ſilver Rools, value 5 *l.*, a ſilver Dish, value 3 *l.* four other Rings, three pieces of Coined Gold, and 100 *l.* 12 *s.* in Silver, from *Thomas May*, on the 5th of *October*, by breaking the houſe, *&c.* The Priſoner and three more having broken the houſe and entred the Chamber of the Proſecu-

tor,

her, and found him his Wife, and Maid &c. dreaming them ſelves ſtifled or ſtifled, and covering the former with the Bed Cloaths the better to hinder the diſcovery of their Faces, they ranſacked the houſe and departed with the Goods mentioned, part of which were ſometime after were found about the Priſoner in *Crab-tree ſtreet*, in the Parish of St. *Martins* in the Fields, and he being poſitively Sworn to be one of thoſe that entred the Chamber, &c. and only an obſtinate deny of the Fact, being urged by him for his defence, he was found guilty of the Felony upon the account of the Goods being found in the County of *Middleſex*, but the Fact being Committed in *Kent* he was acquitted of the Burglary.

*Thomas Bear*, was Tryed for taking a ſilver Hilted Sword, value 50 s. from the perſon of *Henry Auſtin*, on the 12th of *September* laſt, in the Parish of St. *Dunſtans* in the Weſt.

The Evidence againſt him was, that Mr. *Auſtine* coming through the Street in the dark, the Priſoner fell down in his way, and whilſt he catched him by the Arm, and was endeavouring to take him up the Sword was taken from his Side, but it not being found with the Priſoner, nor any appearance he took it, though it was ſuppoſed a trick in him to fall down, the better to give his Comrade an opportunity to take it, he was acquitted.

*Thomas Hincham*, was Tryed for aſſaulting and Robbing *Robert Cooper*, one of the Sheriffs Officers in *Weſt Smithfield*, during the late Fair, and the Proof being plain againſt him, as alſo that he ment at the ſame time to make a Reſcue, he was found guilty

*John Doble*, was Tryed for breaking the Gaurd houſe by *White-Hall*, and taking thence 73 Guineas, three Jacobus pieces, eight half Guineas, 5 *l.* in Silver and a Purſe, the Monys, &c. of *Robert Shaw*, on the 13th of *July*, about 11 at Night. The Proof againſt him was, that the houſe being entred at the top of the Garret Window, the next day a crop'd Hat was found in the Gutter, between the Tiles and known to be the Priſoners, who much frequented that place as a Black Guard Boy, he was ſought after, and upon Notice that he was fled into the Country, purſued and taken with the Purſe and thirty eight Guineas about him, and ſo brought up to *London*, but upon Tryal he denyed the Hat and Fact, and being asked how he came by the Guineas, he ſaid he got them by Gaming with divers perſons; but that being look'd upon as a frivolous pretence he was found guilty of the Burglary and Felony.

*Ann Dey* was Tryed upon another Indictment as Accellary to *Doble*, in knowing him to have Committed the aforementioned Felony and Burglary, and afterward harbouring, comforting and maintaining him, &c.

The Proof againſt her was, that the Proſecutor knowing him to haunt her houſe or lodging, he upon diſcovery of the Robbery went thither in ſearch of him and ſhe accordingly promiſed to cauſe him to be Apprehended in twenty four hours, and ſo got the Warrant from the Proſecutor, yet when *Doble* came during the Proſecutors being there, ſhe ſent him away unknown to another houſe and immediately followed him, and made him ſenſible how he was diſcovered, and when he intreated her to conceal him ſhewing her his hand wherein he had been burnt, ſaying if he was taken he ſhould be hang'd, and biding her keep fifteen Guineas ſhe had of his and convert them to her own uſe; ſhe not only Aquieſſed but became inſtrumental in conveying him away, and ſhe making but a ſlender defence moſt part of the Evidence againſt her, being according to her own confeſſion, ſhe was found guilty of the Indictment.

*Simon Durrant*, was Tryed for Killing *Ann Sadler* at *Leather-ſellers Hall*, on the 9th of *Auguſt* laſt, by bruiſing, rowling and throwing down the ſaid *Sadler*, of which ſhe languiſhed till the 3d of *September* and then dyed. The Proof was, that there being a Feaſt heald there that day and a Dancing Bout enſuing, whilſt *Durrant* was Acting the Countryman, *Ann Sadler* came in to call her Miſtreſſes Son from thence, when upon intimation *Durrant* caught hold of her and obliged her to Dance, which ſhe did for almoſt a quarter of an hour, and then ſhe being about to make her eſcape from him, he purſued her and puling her back by force threw her down, and tumbled with her over and over: ſo that being bruiſed thereby, ſhe went home and ſickned and languiſhing to the day aforeſaid, dyed, to which he plaaded that her Dancing was with her own conſent, and as for the reſt it was but a Frolick, and he intended no harm, and bringing credible perſons to teſtifie it, and that he laid her down very eaſily, and further, it appearing upon the Teſtimony of two Chirurgeons that ſhe dyed not by any Bruiſe thereby occaſioned, he was acquitted, as alſo upon the Coroners inquiſition for Mauſlaughter.

*Richard Beale*, was Tryed for Marrying one *Loveday Pilling*, at a place called *Wandſead*, on the 5th of *Auguſt*, 1685. and ſhe being yet alive, Married one *Suſannah Moiſe*, the 29th of *Janu.* 1687. at *Dukes Place*. As for the ſecond Marriage he owned it, but denyed the firſt, whereupon the Witneſſes were ſworn for the King, who gave Evidence that the Priſoner had a long time Courted *Billing*, and that he had uſed Endeavours to get her Father's Conſent to Marry her, but he being Averſe to it, the Priſoner had confeſſed he had Married her privately, and was Married by one *Uſher* an Iriſh Miniſter, and further that he had lived with her in Lodgings as her Husband, publickly owning her to be his Wife, had a Child by her, and in his Letters to her Father, ſome of which were produced in Court, he had ſubſcribed himſelf his dutiful Son, and executed Conveyances with her Name in them as his Wife, and his own Witneſſes proving that he offer'd her mony to diſclaim the marriage, that inſtuments purpoſing a diſclaim of the marriage were deſired to be ſign'd by her, which ſhe refuſed, with many other Circumſtances in Words and Writing, and he only inſiſting that there was no Certificate appeared, or any perſon who Married them, or ſaw them *Married*, to give Teſtimony againſt them, he was upon the many probable Circumſtances and his own former Confeſſion of the firſt *Marriage*, &c. found guilty of the Felony.

The Tryals being over, the Court Proceeded to Judgment.

Burnt in the Hand Six, *viz.*

*William Wingfield*, *Richard Dolle*, *William Gare*, *Stephen Dagnal*, *Cwile Jones*, *Jane Ratford*.

Ordered to be Tranſported Three, *viz.*

*George Clark*, *Lewis Flegar*, *Robert Ankems*.

The Perſons that Received Sentence of Death, were Nine, *viz.*

*John Lovewell*, *John Green*, *John Doble*, *Richard Stowwick*, *Thomazine Tally*, *Ann Dey*, *Jane Brown*, *Mary Winton*, *Margaret Meek*.

The Perſons to be Whip'd were Twelve, *viz.*

*James Low*, *John Biſhop*, *James Harding*, *Thomas Waters*, *John Atkinſon*, *Will. Summers*, *Will. Scot*, *John Savage*, *Joſeph Williams*, *Mary Tuft*, *Mary Bartlet* and *A*——*S*——.

Perſons Fined were 5 *viz.* *William Gardener* to ſtand in the Pillory and to pay a Mark as a Fine to the King, Convicted for puring away Britſs Mony &c.

*William Leaner* Fin'd one Mark and to ſtand in the Pillory; Convicted of puring a Cheat upon the Poſt Office.

*Thomas Hincham* Fined 6 s. 8 *d.* Convicted of Aſſaulting and Wounding *Robert Cooper*.

*M*—— *D*—— and *Eliz. Yates*, Fined each 20 Mrrk, Convicted of puring away Clip'd Mony, &c.

The Proceedings having been thus far, the Court adjourned, appoinring the next Seſſions to be held at *Juſtice Hall* on the 7th of *December*.

GOD SAVE THE KING.

*This may be Printed*, R. L. S. *October* the 15*th.* 1687.

LONDON, Printed by *D. Mallet*, next Door to the *Star*, between *Fleetbridge* and *Bridewellbridge*.

K. Hist. Sessions. (1) M. Bailey

# THE PROCEEDINGS ON THE King's Commissions of the PEACE, And *Oyer* and *Terminer*, and *Goal-Delivery* of *Newgate*, held for the City of *London* and County of *Middlesex*, at *Justice-Hall* in the OLD-BAYLY,

515. L. 2
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The 14*th*. 15*th*. and 17*th*. of *January*. 1687. *And in the* 2*d*. *Year of His Majesties Reign.*

THE Sessions of Peace, *Oyer* and *Terminer*, and Goal-Delivery of *Newgate*; Held at *Justice-Hall* in the *Old-Bayly*; on *Friday*, *Saturday*, and *Monday*, the 14*th*. 15*th*. and 17*th*. Days of *January*, 1687. Before the Right Honourable Sir *John Peake* Kt. Lord Mayor of the City of *London*, Sir *John Holt* Kt. Recorder of the aforesaid City, with others of His Majesties Justices of the Peace, for *London* and *Middlesex*.

The Jurors were as follow,

| London Jury. | Middlesex Jury. |
|---|---|
| *James Wood* | *Edward Fuller* |
| *Thomas Mynn* | *William Parkinson* |
| *Thomas Jenny* | *Francis Higgins* |
| *William Smith* | *Robert Curtis* |
| *Alexander Boddington* | *Benjamin How* |
| *William Love* | *William Gunstone* |
| *William Thomas* | *Henry Banes* |
| *John Ridsley* | *William Allom* |
| *Richard Shambrook* | *William Miller* |
| *John Peck* | *Richard Robins* |
| *Anthony Green* | *John Bayly* |
| *Joseph Wetham* | *John Cannon*, |

*The Proceedings were as follow.*

*John Tudman*, of the Parish of St. *Dunstans* in the *West*, was Indicted for stealing one silver Chamber-Pot, value 5 *l*. five small Cups, value 5 *s*. five silver Tobacco Stoppers, value 3 *l*. three Silver Rodkins, value 4 *s*. and some other Goods, on the 3*d*. of *January* last; the Goods of *Robert Portyn*. The Evidence against the Prisoner, deposed that he came into the Shop where the Goods lay, (it being a Lottery Shop) and took away the Plate, and ran into *White-Fryers* with it for Shelter; the Prisoner denyed the Fact, but the matter being so plainly proved against him, he was found Guilty.

*Judith Short*, of St. *Stephen Coleman street*, Indicted for stealing two Yards and three Quarters of Black Cloath, value 30 *s*. four Pillowbears, value 7 *s*. on the 13*th*. of *December* last, the Goods of *Thomas Crundale*. The Evidence against her was Mr. *Crundale*, &c. who evidenced that the Prisoner was a Servant to him, and thereby had opportunity to take away the aforesaid Goods, and that she had carried some Goods out of the House before, which was Corroborated by other Evidence; and altho' the Prisoner denyed the Fact, yet the matter of it being fully proved against her, she was found Guilty to the value of 8 *s*.

*Richard Roberts*, of the Parish of St. *Dunstans* in the *West*, was Indicted for stealing one Sword with a silver Hilt, value 50 *s*. one Watch with a Gold Case, value 12 *l*. two Stone Seals, value 40 *s*. on the 25*th*. of *October* last, the Goods of *John Elvin*. The Evidence against the Prisoner deposed, that as the Prosecutor was Rideing along the Street, the Prisoner came behind him, and suddenly snatch'd away his Sword from his side, but he could not charge the other Goods upon the Prisoner, yet the Prisoner having but little to say for himself, he was found Guilty.

*John Donkin*, of the Parish of St. *Michael-Bassaw*, was Indicted for stealing one silver Tankard, value 6 *l*. 6 *s*. on the 1*st* of this Instant *January*: the Goods of *Richard Little*. The Evidence for the King, said, that the Prisoner came into the house of the Prosecutor, about Eight a Clock at Night, and called for a Tankard of Ale (it being a Publick House) and being alone, took his opportunity to take away the Tankard, and never stayed to pay his Reckoning. The Prisoner said that he knew nothing of the matter: and that he was never in the house, but the matter of Fact being fully proved, he was found Guilty.

*William Ballard* of the Parish of St. *Allhallows Barkin*, was Indicted, for that he together with one *John Jackman*, did steal on the 28*th*. day of *October* last, thirty pounds Weight of Princes Wood, of the value of 15 *s*. the Goods of *John Wyseham*. The Evidence against him, deposed that he came to buy some Wood of the Prosecutor; and after he was gone the Wood was missing; but not being able to swear positively that he stole the Wood he was Acquitted. &c.

J. W. ——— and I. P. ——— were Indicted for Killing one *Peter Penrose* Bell-man in the Parish of St. *Giles's* in the Fields, on the 30*th*. day of *November* last, and that the said W. ... did with a Rapier value 4 *s*. give the said Bell man one mortal Wound upon the Breast, near to the Right Pap, of the breadth of one Inch, and of the depth of six Inches, of which he instantly dyed. The Evidence for the King deposed that the deceased as he was ringing his Bell, and saying his Verses, on St. *Andrews* day, about one or two a Clock in the Morning, he met with the two Prisoners in the Street, who bid him not keep

such

ſuch a Noiſe, and gave him ill Language, whereupon a Quarrel aroſe between the Priſoners and two other Bell-men, that came accidentally into the deceaſeds company, being upon the Watch not far off, and the deceaſed happened to receive the aforeſaid wound. The Priſoners making up towards them with their Swords Drawn. But the Priſoners argued in their Defence that they were abuſed by the Bell men and the Watch, and that they were very highly provoked to do what was done: and that the Bell man ſet his Dog upon them, and knock'd one of them down, which made them flie for Refuge into an empty Hackney-Coach, hard by that place, out of which they were taken, and Committed to the *Gate-Houſe*, and one of their Swords were Bloody, which was produced in Court. The Priſoners ſaid that they were let upon by the Bell men and others in the Night, and taken for Thieves, and very much abuſed, and called ſeveral perſons of very great Quality to Evidence on their ſides, that the had never been wont to quarrel, nor to keep any unſeaſonable hours: and after a long hearing on both ſides, they were brought in Guilty of Manſlaughter.

*Iſaac Vaughan*, of the Pariſh of St. *Andrews Holborn* alias *Ward*, was Indicted for ſtealing one ſilver Salver, value 6 *l.* one ſilver Sugar-box, value 40 *s.* one ſilver Pepper-box, value 40 *s.* one ſilver Muſtard-pot, value 40 *s.* ſeven ſilver Forks, value 40 *s.* four ſilver Spoons, value 24 *s.* The Goods of *Thomas Jones* Eſq; on the 20th. day of *December* laſt. The Evidence for the King, depoſed that the Priſoner was found in the houſe of the Proſecutor, and had removed the Goods: but being Apprehended, had not opportunity to take them away, and notwithſtanding he denyed it in this Tryal, yet being Branded in the hand before, and look'd upon to be a very Notorious Offender, he was found Guilty.

*Thomas Barns* the Elder, and *Thomas Barns* the Younger, of the Pariſh of *Hounſlow*, were Indicted for ſtealing one pair of Hair Shag Breeches, value 14 *s.* and 5 *l.* 6 *s.* and 6 *d.* in Moneys, the Goods of *John Brown* on the 17th. of *November* laſt. The Evidence againſt them, depoſed that they came into the Chamber of the Proſecutor, the Key being over the door, and took away the aforeſaid Goods and Money, and left the Key in its place: the money being in the Breeches Pocket: The Father ſaid that he found them in the High-way in the Dirt, and waſhed them, and after bid his Son wear them, which he did; and the Evidence being ſo ſtrong againſt them, they were both found Guilty.

*Thomas Barrow*, of the Pariſh of *Covent Garden*, was Indicted for ſtealing one Crape Gown, value 10 *s.* one Petty-coat, value 10 *s.* one Silk Mantua Gown, value 30 *s.* one Silk Petticoat, value 30 *s.* one other Petticoat, value 20 *s.* one Night-Gown, value 20 *s.* with ſeveral other Goods, on the 4th. of *December* laſt, from the Lady *Elizabeth Abergavenny*, Widdow. The Witneſs againſt the Priſoner, ſaid that he was ſeen at the door with the Goods under his Arm, and being purſued, he drop'd them, and he denying the Fact, and having nothing to ſay for himſelf, he was brought in Guilty of Felony.

A Woman was Indicted for ſtealing one Lac'd Band, value 2 *s.* 6 *d.* one Black Scarfe value 12 *d.* the goods of *George Smith*, Gent. on the 9th. of *November* laſt. It appeared upon Evidence, that the Priſoner was a Servant to Mr. *Smith*, and ſo took the Goods away, and were afterwards found in her Cuſtody; and ſhe having but little to ſay for her ſelf, ſhe was found Guilty to the value of 10 *d.*

J. *C.*—— J. *S.*—— and J. B.—— of the Pariſh of St. *Anns Weſtminſter*, were Indicted for Murthering one *Ann Parſons*, Widdow, on the 23d. of *November* laſt, J. *C.*—— as Principle, the other two as Acceſſaries, giving her the ſaid *Ann Parſons* one mortal Wound on the Right ſide of the Head, of the depth of three Inches; of which, ſhe languiſhed from the day aboveſaid, to the 5th. of *December* laſt; and then dyed. The Evidence for the King, depoſed that they all three went into a Coach together, to a private Houſe in great *Queen-ſtreet*, known to be an Entertainer of idle Perſons: and theſe three Men went by the Name of the Gang: And when they came to the houſe, *C.*—— went into the houſe, and the other too ſtayed by the Coach ſide, and a little after, the deceaſed Woman came out Screeking and Crying out Murther, and ran down the Streer, and *C.*—— ran after her, and ſtruck her with a Bagonet into the Head, and coming to his Fellows, told them that he had ſowerd her, for that ſhe was Sawcey. So being immediately purſued by the Watch, they were all three taken, and the Chirurgeon gave in Evidence, that the wound was the cauſe of her death. *C.*—— the Priſoner ſaid, that he never touch'd her, and that he never carryed any Bagonet about him; but the matter of Fact being very fully proved upon him, he was found Guilty of wilfull Murther, but the other two were Acquitted.

*Michael Walker*, *Margaret Wilkinſon*, and *Rachel Smith*, were Indicted, for they together with one *John Heath* and *Thomas Garret* not yet taken, did Break the houſe of one *Samuel Parker*, Gent. on the 6th day of *December* laſt, and took away one Braſs Pendula Watch, value 6 *l.* one Set of Hangings, value 12 *l.* one Set of Vallens Fringed, value 5 *l.* with ſeveral other Goods, &c. It appeared upon the Evidence, that *Wilkinſon* was heretofore a Servant to the Proſecutor, and that ſhe knew her Maſters houſe at *Hampſted*, and ſo might be Acceſſary to the Robbery: But it further appeared, that *Walker* actually got into the houſe in the Night, and took away the Goods, and that *Rachel Smith* bought the Goods after they were ſtolen, and ſo far privy to the Fact, as that ſhe was found Guilty as Acceſſary and *Walker* as Principle, but *Wilkinſon* was diſcharged.

*Luke Norton*, of the Pariſh of St. *Mary* [illegible], was indicted, for that he together with one *Mortymer* and *Kemp*, not yet taken, did Murther one *Samuel Stephenſon*, on the 11th. of *December* laſt, with a Rapier, value 5 *s.* giving him a mortal wound on the Right Groin, of the depth of four Inches, of which he dyed on the 13th. of the ſame Inſtant. The Witneſſes for the King, gave in Evidence that the Priſoner and the deceaſed met in the Streer in company with the other two, as aforeſaid, in the Night, and a Quarrel happened between them, upon which, the deceaſed received the aforeſaid Wound: But no Evidence appearing to prove that he gave the deceaſed the wound, he was Acquitted.

*Thomas Barrow* and *Mary Barrow* his Wife, of the Pariſh of St. *Pauls Covent Garden*, were Indicted for ſtealing one Gold Watch, value 10 *l.* one Cornelion Stone ſet in Gold, value 3 *l.* one Lute-ſtring Scarfe, value 50 *s.* two Gold Rings value 30 *s.* one Gold Coals, value 20 *s.* two Gold Chains, value 30 *s.* one Gold Croſs ſet with a Blood-Stone, value 5 *s.* with ſeveral other Goods, value all about 40 *l.* the Goods of Mr. *Corbet Heath*, who depoſed that ſome of the Goods were in the Cuſtody of the Woman, but could not ſwear directly that he took them out of his houſe; yet the Priſoner being found in ſeveral Storys, and that he found the Goods in the Streer, and having gone by ſeveral Names, was look'd upon to be a perſon of a very bad Life, he was found Guilty, but the Woman was Acquitted.

*B.——VV.——* of the Pariſh of St. *Olives Jury*, was Indicted for ſtealing one ſilver Tankard, value 7 *l.* on the 12th. of *December* laſt, from one *John Bell*. The Evidence for the King, depoſed that the Priſoner with another perſon, came into the houſe of the Proſecutor, and called for a Tankard of Drink, and whilſt the Maid went to change his Money, they went away with the Tankard: The Priſoner denyed it, and ſaid that he was at another place that Night that the Tankard was ſtole, and he being found in ſeveral Storys and Lyes, he was found Guilty.

*Joſeph Read*, of the Pariſh of St. *Giles's* in the Fields, was Indicted, for that he together with one *Peter Read* and *Jacob Read*, not yet taken, did ſteal, on the 6th day of *December* laſt, fourſcore Yards of Worſted Crape, the Goods of one *John Siner*. The Evidence againſt the Priſoner, depoſed that the Crape was cut out of his Loome, by *Jacob Read* and the other, they working in the ſame Shop with *Siner*; and that the Priſoner was Acceſſary to the Selling of it, to a Broker, who gave 4 *d.* a Yard for it; but it could not be proved that he ſtole the Goods, ſo he was Acquitted.

*Elizabeth Moore*, was Indicted for ſtealing one Yard and a half of Needle-work Lace, value 6 *d.* on the 25th of *November* laſt. The Goods of one *John Youngman*, but the Evidence not ſwearing poſitively that ſhe took the Lace and ſhe denying it upon her Tryal, ſhe was Acquitted.

*James Barrow* and *Thomas Bears*, of the Pariſh of St. *Margarets Weſtminſter*, were Indicted, for that they together with

one *Francis Ferris* and *John Knight* not yet taken, did ſteale one pair of Holland Sheets, value 20 s. one Rug, value 20 s. and a Looking Glaſs, value 20 s. the Goods of *Elizabeth Newland*, Widdow. The Evidence for the King, declared that *Bears* was found in the houſe of the Proſecutor, and *Barrow* was ſitting without the door, waiting for his Comerade *Bears*, and that another perſon was ſeen to go from the houſe, with a Bundle of Linnen under his Arm, which *Bears* Confeſs'd when he was Apprehended, was a Granadeer, and one of the Gang, and had taken away the Goods: *Barrow*, upon his Tryal denyed all, and *Bears* ſaid that *Barrow* took away the Sheets, and the other, *viz. John Knight*, and that he did not meddle with any thing, but upon a full hearing, they were both found Guilty.

*John Reeves*, of the Pariſh of St. *Martins* in the Fields, was Indicted for ſtealing one Box, value 4 *d.* and ten Holland Half-Shirts, value each 7 s. the Goods of *John Blow*, on the 4*th.* of *December* laſt. The Evidence againſt the Priſoner ſaid, that he met the Priſoner in the *Strand*, who dogg'd him as far as *White Hall*, and at laſt trod upon the Profecutors Heels, and Aſſaulted him, ſo far, as that he got the Box of Linnen from him, but was ſoon ſtopp'd, *&c.* The Priſoner would fain have inſinuated that he was in drink, and knew not what he did; but the matter of Fact being fully proved upon him, he was found Guilty.

*James Ballard*, of the Pariſh of St. *Martins* in the Fields, was Indicted for ſtealing a Bay Gelding, value 10 *l.* on the 25*th.* of *December* laſt, from *Henry Vaughan*, Eſq; The Evidence againſt him, depoſed, that he came into the Stable of the Proſecutor, and took away the Horſe, and Rid as far as the *Green-Man* in *Eſſex*, and there left him: The Priſoner ſaid that the Groom Lent him the Horſe to Ride ſo far on his way, being going to ſee his Friends in the Country, which the Evidence on the Profecuters ſide being unable to contradict, he was immediately Acquitted.

*Thomas Gibs*, of the Pariſh of St. *Martins* in the Fields, was Indicted for ſtealing a Hair Cambler Coat, value 40 s. one pair of Silk Breeches, value 40 s and 13 *l.* 19 s. 6 *d.* in Money, on the 10*th.* of *October* laſt, the Goods of *James Aſhborn*, Gent. The Evidence for the King was Mr. *Aſhborn*, who declared that the Priſoner was ſome little time a Servant to him before the Robbery was Committed, and when he miſs'd his Goods, the Priſoner abſented himſelf, and being Apprehended he Confeſs'd it. The Priſoner did not much deny it upon his Tryal, but ſaid he did it becauſe there was an Execution coming out againſt him, with ſome other frivolous Excuſes, ſo he was found Guilty of the Felony.

*William Scot*, and *Humphrey Burton*, of the Pariſh of St. *Andrews Holborn*, were Indicted for Felony and Burglary: in Robbing *Ralph Gore*, Eſq; on the 3*d.* day of this Inſtant *January*, of one ſilver Tankard, value 6 *l.* one ſilver Cup, value, 4 *l.* two ſilver Porringers, value 40 s. one other Cup, value 5 s. with a dreſſing Box and a Picture, *&c.* The Evidence for the King, depoſed, that after the houſe was Robbed, they made ſearch for the Priſoners, and found the dreſſing Box, the Picture and Pettycoat, which the Proſecutor owned to be his, but the Plate was not diſcovered. *Burton* Confeſſed that he had the Goods, but that *Scot* knew nothing of it; but they being look'd upon as idle Fellows, and the Evidence being plain againſt them, they were both found Guilty.

*Sarah Vince* and *Margaret Stephenſon*, of the Pariſh of *Stepney*, were both Indicted for ſtealing, on the 27*th.* of *December* laſt, three Dowlas Shirts, value 5 s. two Waſtcoats, value 18 *d.* one pair of Sheets, value 5 s. two Tablecloaths with other Goods of ſmall value, from one *William Maſſon*. The Evidence againſt the Priſoner was *Maſſon*, *&c.* who declared that he and his Family being abroad, upon their Return about ſix a Clock at Night, found the door open, and making ſearch for the Thief, found the two Priſoners not far from the houſe, ſtanding in a Corner, hiding themſelves, and the aforeſaid Goods in *Vince's* Apron: *Vince* ſaid that the Goods were brought to her houſe by one *Martha Davis*, and ſhe was a going to carry them home to a Neighbours, whoſe they were, but the Proſecutor ſwearing the Goods were his, and *Vince* being known to be an Old Thief, they were both found Guilty of Felony.

*Elinor Burt*, of the Pariſh of St. *Dunſtans* in the Eaſt, was Indicted for ſtealing two pair of Holland Sheets, value one Black Hat, value 20 s. two Lac'd Corners, value one Cloath Coat, value 30 s. on the 20*th.* of *November*, the Goods of *John Tomſon*: The Evidence againſt the Priſoner was Mr. *Tomſon* and his Wife, *&c.* who ſaid that the Priſoner was a Servant to them whilſt the Goods were loſt, and that they had a ſuſpicion of her, becauſe ſhe left her Miſtreſs's Chamber door open when ſhe made the Bed, and never returned the Key to her Miſtreſs, and ſome ſuſpicious perſons had that day been lurking about the houſe, but ſhe argued in her defence, that ſhe knew nothing of it, and that ſhe was maliciouſly proſecuted, for that her Maſter went to a Cunning Man, to know who ſtole the Goods, *&c.* and the Evidence for the King, not being able to fix any thing upon her as to matter of Fact, ſhe was immediately Acquitted.

*William Owen*, of the Pariſh of St. *Clement Danes*, was Indicted for ſtealing a piece of Glaſs, value 9 *d.* the Goods of Mr. *Williams*, Mr. *Biſco*, Mr. *Bears* and Mr. *Templeman*, upon the 1*ſt.* of *October* laſt; but no material Evidence appearing againſt him, and he making good Proof of his Repuration, he was Acquitted.

*Elizabeth Fuller*, of the Pariſh of St. *Dunſtan's* in the *Weſt*, was indicted for ſtealing, one flowered Sattin Gown, valued 3 *l.* one Petty coat, value 40 s. 3 flowered Pettycoars, value 3 *l.* 6 Yards of Sattin, value 40 s. 12 Handkerchiefs, value 20 s. two pair of Pendants ſet with Stones, and 20 Guineas in Gold, with 80 *l.* in Monys, and ſome other ſmall Goods, in all to the value of 130 *l.* the Goods of Mr. *Robert Atkins*: the Evidence againſt the Priſoner, was Mrs *Atkins*, who depoſed, that the Priſoner was her hired Servant, and had lived with her about 7 or 8 days; but it ſo happened, that her Mrs. and She, being one day abroad together, and leaving no one at home, the Priſoner got the Key of the Houſe from her Mrs. and went privily home and ranſackt the houſe, and took away all the aboveſaid Goods, ſome of which, were afterwards found upon her, and ſome in other places where ſhe had pawned them: The Priſoner uſed ſeveral evaſions and inſinuating ſtorys, whereby to extenuate the crime, but it was looked upon of no value on her behalf; and appearing to be a perſon of very bad repute; She was after a full and diſtinct hearing, found Guilty.

*James Summers*, of St. *Peters Cornual*, was indicted for ſtealing one piece of Sheſie Holland, value 7 s. 9 *d.* and 19 *l.* 15 s. in Monys, on the 25*th.* of *November* laſt, the Goods and Mony of *Tho. Abley*. It appeared upon the Tryal, that the Priſoner was a Porter belonging to the Houſe of the Profecutor, and ſo took away the piece of Holland and the Mony: but no poſitive proof appearing againſt him, he was Acquitted.

*John Jones* of St. *Brides* Pariſh, was indicted for ſtealing a Silver Tankard, value 5 *l.* the Goods of *John Bulcher*: It appeared upon the Tryal, that the Priſoner was with another perſon in the houſe of the Profecutor, but the Evidence not being poſitive that he ſtole it, and no Tanckard being found about him when he was taken, he was diſcharged.

*James Audley*, was indicted for a high Miſdemeanor, in ſpeaking Scandalous and Seditious Words, againſt the King and Government. Upon the Tryal, the matter of fact appeared thus. The Priſoner, and one *Edw. Audley*, (the Profecutor) being in diſcourſe together, the Profecutor ſaid that he had a mind to ſerve the King. the Priſoner made Anſwer, *that he had better go to* Holland *than ſerve the King of* England, *and added, that* Monmouth *was an honeſter Man than the King, and had more right to the Crown than he hath; and if all the People were of his mind, he ſhould have had it, and that* Monmouth *had more honeſty in his little Finger, than the King had in his whole Body, &c.* The Priſoner ſaid that the Profecutor was his Kinſman, and that they were, and had been at Difference, for that the Profecutor owed him Mony, and that he had threatned him ſeveral times, &c. and the Priſoner called ſeveral Witneſſes on his Side, who depoſed, that he had always behaved himſelf very civilly and modeſtly, even in the moſt factious ſeaſons, &c. And upon a full hearing, it being lookt upon as a malicious Proſecution, he was Acquitted.

*Tho. Fawn*, who was Condemned, two Seſſions ago, for ſtealing a Mare from *Mr. Nath. Holton*: Was again indicted, together with one *John Jennings*, for ſtealing a Bay Gelding, value 7 *l.* from Mr. *Robert Pearſon*. The Evidence was Mr. *Pearſon*, who ſaid that he loſt his Gelding from *Iſlington*, and found him in the cuſtody of Mr. *Adi* Juſtice of Peace, near *Daintry* in *Northampton* Shire

that *Jennings* owned the Gelding to be his: But *Jennings* denyed it, who also did *Fann*; but the matter of fact being so plain against *Jennings*, he was found Guilty of the Felony, but *Fann* was Acquitted.

*Arrabella Reeves*, was indicted for High Treason, in Coining 20 false pieces of Counterfiet Mony. *viz.* Sixpences. The Evidence for the King, deposed, that She was taken in the very Act in her Chamber, with the Metral boiling on the Fire, and a Mould in her Hand, with a Sixpenny piece in it; and several other false pieces of Mony were found in her custody, all which were produced in Court as a further Evidence against her. The Prisoner denyed every thing at her Tryal, and said that She found the Mould: But the Evidence being so strong against her, and being noted to have been an old Offender, She was found Guilty of the said High Treason.

*Roger Harrup*, was indicted for a Misdemeanor, for Starving a Gelding of Mr. *Geo. Steward's*; the matter of fact was as follows. Mr. *Steward* deposed, that he agreed with the Innkeeper, at the *Oxford Arms* in *Warwick-lane*, to keep his Horse for 6 *s.* a Week; but that the Ostler, because he did not give him Mony, or was not so liberal to him as he did expect, took some Tallow and Bran and mixed them together, and rubbed the Horses Teeth and Gums withall, which caused the Horse to abstain from his Meat, and fall away to a prodigious Poverty; which Horse at first cost him 34 Guineas, but now was not worth near so much: The Prisoner denyed it, and the Innkeeper said, that if ever his Horse was worth 5 *l.* he was worth 10 *l.* now; and no Evidence was produced to swear, that the Ostler was seen to commit the fact, so he was Acquitted.

*Richard Miller*, was indicted for a high Misdemeanor, in counterfieting himself to be a Cleark, belonging to Doctors Commons, to one Mr. *Constable*, and for sending Processes to People in his own name. The Evidence against him, deposed, that at one time he went to the *Bell-Inn* in *Wood-street*, to a Carriers Servant, and would fain have juggled mony out of him, telling him, that he was put into the Spiritual Court, for getting a Maid With Child; withall telling him, that if he would give him 40 *s.* he would take it off, and he should come to no further trouble: This was fully proved against him, by a Procter that belonged to the Commons, and that he never was in any Practice there, and that he was but a Perriwigmaker, in *Long-lane*, &c. The Prisoner did not much deny it, but said that he took no Mony. So upon a full hearing, he was found Guilty of a High Misdemeanor.

*Sarah Lawrence*, *Sarah Marsh*, and *Elizabeth Gardiner*, were all three indicted, for stealing one Holland Band, value 9 d. One Kenring Corroner, value 10 *d.* One Holland Dressing, value 9 *d* the Goods of *John Gunstone*. But the Evidence being very obscure, and it being lookt upon as a malicious prosecution, they appearing to be persons of better worth, than the Accusers; they were all immediately discharged.

*Catherine Bedwell*, was Indicted for stealing one Lure-string Gown, valut 3 *l.* two Silk Gowns, value 3 *l.* 10 *s.* one Petticoat with a gold Lace, value 40 *s.* and some other goods, value all about 10 *l.* The Evidence for the King, deposed that the Prisoner and three men more came into a Publick House to drink, and stayed there all day, and after they were gone the goods were miss'd, but the Prisoner denyed it, and called some Witnesses, who gave a favourable account of her Credit, so she was Acquitted.

*Walter Hunt*, was Indicted for a Trespass, for stealing two hundred weight of Iron, value 40 *s.* from *James Wilson*, on the 18th. of *October* last. It appeared upon his Tryal, that there was one *George Wood* concerned in the Fact with the Prisoner, who was fled, and the Evidence being very plain against him, he was found guilty of a Trespass.

*James Grimstone*, was indicted for stealing a Brass Candlestick and a Save-all, value 3 *s.* 6 *d.* the Goods of *John Farfoy*: The Evidence against the Prisoner, said, that he came in at the Window, and took away the Candlestick from off the Table; but another person was in his Company, who carryed it; yet notwithstanding, he was brought in Guilty to the value of 10 *d.*

*Richard Whitehead*, alias *Whiting*, was indicted, for stealing on the 21*st.* of *Sept.* last, one Feather Bed, value 40 *s.* one Bolster, value 2 *s.* with other goods of small value, from *Ann Walter*: The Evidence declared that the Bed was taken upon his Shoulder, and that one *Griffin*, and another person, were concerned with him, but did abscond themselves, so he was found guilty of the Felony.

*Nicholas Fordham*, was indicted for stealing 4 Reams of white Paper, value 20 *s.* on the 1*st.* of this instant, the goods of Mr. *Anthony Staples*, the Evidence was Mr. *Staples*, who attested that the Prisoner was a Servant in his house, and had oftentimes robbed him before; so upon a full hearing, he was found guilty to the value of 10 *d.*

*Lewis Hedger*, was Indicted for stealing one Callico Apron, value 18 *d.* one Lac'd Quoif, value 2 *s.* two Handkerchiefs value 2 *s.* 6 *d.* one Musling Crevat, value 3 *s.* and other goods of small value, from *Eleanor Davis* Widdow. The Evidence against him, deposed, that he came into the house of the Prosecutor (she being a Washer Woman) and took away the Linnen aforesaid, out of a Dish as it lay wet, which being fully proved upon him, he was found guilty to the value of 10 *d.*

*Jeremiah Swan*, was Indicted for stealing a Bracelet set with Diamonds and Cornelion Stones, value 12 *l.* 10 *s.* on the 6*th.* of *December* last, the goods of *Christopher Robinson*, but the Evidence not being able to prove the matter of fact, he was Acquitted.

*William White*, was indicted for stealing two Salmons, value 30 *s.* from *Richard Richardson*: It appeared upon the Evidence against him, that he came from *Uxbridge*, in the Waggon, and stole the Salmons out of the Waggon, which being fully proved against the Prisoner, he was found guilty to the value of 10 *d.*

*Elizabeth Bamfield*, alias *Carter*, alias *Heward*, alias *Smith*, was indicted for stealing several small goods, and 10 *s.* in Mony, from one *Kathrine Davis*: the matter of fact against her was, that She came to the house of the Prosecutor, and hired a Lodging, and after a little time took away the goods, &c. which was fully proved against her, She was found guilty.

The Tryals being over, the Court proceeded to give Sentence as followeth.

Order'd to be Burnt in the Hand 12. *viz.* *John Tudman*, *Judith Short*, *Thomas Barns* the Elder, and *Thomas Barns* the Younger, *Thomas Barrow*, *Michael Walker*, *James Barrow*, *Thomas Bears*, *William Scot*, *Humphrey Burton*, *Richard Whitehead*, and B—— *W*——

Order'd to be Transported 3. *viz.*
*John Dunkin*, *Isaac Vaughan*, and *Thomas Gibs*.

Order'd to be Whip'd 5. *viz.*
*James Grimstone*, *Nicholas Fordham*, *Lewis Hedger*, *William White*, and a Woman.

Received Sentence of Death, 9. *viz.*
*Richard Roberts*, *Elizabeth Fuller*, *J*—— *C*—— *Sarah Vince*, *Margaret Stephenson*, *John Reeves*, *John Jennings*, *Elizabeth Bamfield*, and *Arrabella Reeves*, the last of which, was order'd to be Burnt.

*Arrabella Reeves*, *Elizabeth Fuller*, and *Elizabeth Bamfield* pleaded their Bellys, a Jury of Matrons were Impannell'd, who brought in their Verdict in the Negative as to the first, but that the two latter were quick with Child, &c.

The Judgment of *T*—— *W*—— and *J*—— *P*—— was deferred till the Next Sessions, there being an Appeal for Murther brought against them.

The Ensuing Sessions was order'd to begin on *Wednesday* the 23*d.* of *February* next, by 7 a Clock in the Morning.

GOD SAVE THE KING.

*This may be Printed*, January *the* 18th. 1687. *R. L.*

*LONDON*, Printed by *D. Mallet*, next Door to Mr. *Shipton's* Coffee-House, near *Fleet-Bridge*, 1687.

# THE PROCEEDINGS ON THE King's Commissions of the PEACE,

And *Oyer and Terminer*, and *Goal Delivery* of *Newgate*, held for the City of *London* and County of *Middlesex*, at *Justice-Hall* in the

# OLD-BAYLY,

The 23th. 24th. and 25th. of *February*. 1687. *And in the 3d. Year of His Majesties Reign.*

THE Sessions of Peace, *Oyer* and *Terminer*, and Goal-Delivery of *Newgate*; Held at *Justice-Hall* in the *Old-Bayly*; on *Wednesday*, *Thursday*, and *Friday*, the 23th. 24th. and 25th. Days of *February*, 1687. Before the Right Honourable Sir *John Peake* Kr. Lord Mayor of the City of *London*, Sir *John Holt* Kr. Recorder of the aforesaid City, with others of His Majesties Justices of the Peace, for *London* and *Middlesex*.

The Jurors were as follow,

| London Jury. | Middlesex Jury. |
|---|---|
| *Edward Shrawley* | *John Haynes* |
| *John Elm,* | *Christopher Chambers* |
| *Christopher Rapier* | *William Hembrick* |
| *John Endersby* | *Peter Rudg* |
| *Edward Short* | *George Clisby* |
| *Thomas Gardner* | *William Wheatly* |
| *Paul Darby* | *John Grant* |
| *Samuel Cornock* | *John Hastings* |
| *Francis Cayde* | *Nathaniel Chandler* |
| *Timothy Terrill* | *Richard Thurnor* |
| *John Rose* | *John Cooper* |
| *George Westray.* | *William Goodwin* |

*The Proceedings were as follow*

*Richard Cole* and *William Jennings*, having an Indictment preferd against them, for stealing a silver Tankard, value 5 *l.* from *Thomas Woodhouse*, of the Parish of *St. Leonards Foster*, on the 15th. of *February* last; upon their being Arraigned, pleaded both guilty to the said Indictment.

*John Miller*, was Tryed for stealing one Periwig, one Cloath Coat, one pair of Holland Sleeves, and one Holland Shirt, valued at 3 *l.* from *John Gardner* of the Parish of *St. Dunstans* in the West, on the 5th. day of *February*: The Evidence against him was *Gardner* and others, who deposed, that the Prisoner under pretence of his Lodging being taken up, procured to lye with *Gardner*, as having been formerly his intimate Acquaintance, by which means he had an opportunity to take away the Cloaths, and departed early in the Morning, yet soon after was found with them on his Back; but he pleaded in his own defence, that it was rather by mistake, than any intent to steal the Apparel, or that presuming on the Familiarity he had with the Prosecutor; he insinuated that he did at most but borrow them, with an intent to restore them: and it moreover appearing, that he had left part of his own Cloaths in their stead, he was Acquitted.

*Richard Owen*, was Tryed upon an Indictment of Felony, in Feloniously taking out of the house of *Stephen Nightingall*, of the Parish of St. *Buttolphs* without *Bishopsgate*, seven Peuter Dishes, value 25 *s.* and twelve Peuter Plates, value 15 *s.* on the 1st. of *February*. The Evidence against him was Mr. *Nightingall* and his Servant Maid: the first deposing that the Peuter (to his knowledge) was in his Kitchen over Night, and the next Morning it was Missing: And the Latter gave Evidence that by her Consent, the Prisoner had hid himself in her Masters Cellar, under a pretence of Securing him from the Fury of his Master, and that when she came to look for him the next Morning, she found both him and the Peuter gone; the Cellar Door to the Street being likewise left open: But it appearing that the Maid had absented her self, and no other proof but her own of what she Accused, he was Acquitted.

*Jonathan Cooper*, was Tryed for stealing one Diamond Ring, value 10 *l.* two Gold Rings, value 16 *s.* two silver Chains, value 10 *s.*, one silver Spoon, value 4 *s.* one silver Bodkin, value 1 *s.* 6 *d.* and one silver Box, value 8 *s.* from *William Smith*, of the Parish of St. *Buttolphs* without *Bishopsgate*, on the 5th. of *February*: The Evidence against him was *Smith* and others, by whom it appeared, that he and his Wife being abroad, and leaving only a little Boy at home, a man, supposed to be *Cooper*, came directly into the Kitchen and took away a Nest of Drawers, wherein the things specified were, and withall left a stick behind him, which was attested to be the Prisoners, and that he was seen hankering thereabout, under pretence of buying Meat; but by reason the strongest streis of the Evidence lay upon the Childs discribing him, and none of the things found about him, nor in any place where he had disposed of them he was found not guilty.

*Ann Fletcher*, was Tryed upon two Indictments, first, for stealing from *Daniel Wright*, of the Parish of St. *Buttolphs* without *Aldersgate*, eight pair of Flaxen Sheets, value 40 *s.* on the 4th. of *February*: which Felony upon her being apprehended; as it appeared by the Evidence she had Confessed, and that going by her direction, they were found where she had sold them, nor did she make any defence for her self in Court, but in a manner confirmed her former Confession.

Secondly, She was Tryed upon an Indictment of Felony, for stealing one Holland Sheet, value 7 *s.* from *Henry Seal* of the Parish of St. *Giles's Cripplegate*, on the 4th. of *February*. The chief Evidence was *Seal's* Wife, who deposed she had Confessed her stealing them, and that by her directions the place of Sale was found, so that having nothing material to offer in her own defence, she was found guilty upon both Indictments.

*Thomas Griffith*, took his Tryal for stealing a silver Cup, value 4 *l.* on the 10th. of *February*, being the proper Plate of the Masters and Fellows of *Baliol Colledge* in *Oxford*. The Evidence against him were *Thomas Sherin*, *Matthew Rutter*, and others, by whose Testimony it appeared, that being apprehended in the Parish of St. *Giles's* in the Fields; upon his attempting to Sell another piece of Plate that was found about him, and known by the Inscription and Arms of the Colledge and Doner, upon Notice of which, one of the Fellows of the Colledge came up and testified as much in Court, nor did the Prisoner deny but that he had it near that Colledge, but alledged it was given him by a strange man to sell or otherwise to dispose of it; but not being capable of producing the party, or giving any satisfactory account of himself, he was found guilty of the Felony.

*Jonathan Gibbons* of St. *James's Westminster*, was Tryed for stealing six Pound Weight of Iron, value 6 *d.* one Leather Chair, value 6 *d.* and three Silk Curtains, value 5 *s.* the proper Goods of *John Kennet*, on the 16th. of *February*. The principal Evidence was *Kennet's* Wife, who deposed that she missing her things and going in search of them, found the Bars of Iron (which she knew by one of them being a Frying Pan Handle to be those she lost) at one *Whites* a Broker; where the Prisoner had disposed of them, and being desired by the Broker to be content till *Gibbons* came again as he had promised which accordingly he did, the next Morning with Nine Streaks or Rods of Iron, was by the Broker at present stopt, and she sent for, so that the Proof being plain, and he having nothing to plead in his defence, but that he had the Iron of a man he fortunately met by

*Lyons Bridge*, in part of a Bond of 4 *l.* he pretended was owing by the ſaid party to himſelf, and he being not able to give any good account of himſelf, he was found guilty.

*John Longſtaff*, of the Pariſh of *Stepney*, was Tryed for entering the houſe of *Samuel Wild*, about Nine of the Clock in the Evening, and taking thence two Scarfs, value 6 *s.* one Hood, value 8 *d.* two Yards of Ribond, value 9 *d.* half a Yard of Alamode Silk, value 1 *s.* 6 *d.* one Muzling Cravat, value 1 *s.* and three Pinners, value 6 *d.* The Evidence againſt him was Mr. *Wild*, who depoſed that he found him up one pair of Stairs, and that two others who were in the houſe at that time made their eſcapes, and that in the place where he was ſeized, the Cravat, three Pinners and the Hood were droped; againſt this his Plea was, that hearting the out-cry of Thieves, he came running to ſee what the matter was, and that by a miſtake in the hurry and conſternation he had been ſeized, pretending over and above to excuſe his being that way at ſuch a time of Night, that his Mother had ſent him of an Errand; but being known in Court to be an Old Thief, though but a Young man, he was found guilty to the value of 10 *d.*

*Margaret Torrel*, *Martha White*, and *Elizabeth Bill*, of *White Chappel*, were Tryed upon an Indictment of High-Treaſon, laid the 10*th.* of *February* for Clipping, Defacing, and otherwiſe Diminiſhing the Current Coin of this Kingdom, *viz.* Twenty pieces of Silver, properly called King *Charles* the Firſt's Half Crowns, and Ten other pieces, called King *Charles* the Firſt's Shillings, with Sheers and other Inſtruments. The principal Evidence againſt them, was one *Elenor Pride*, who depoſed that ſhe living with *Torrel* as a Lodger, had ſeen her then Clip, File, and Rub, Coined pieces of Silver, and that it was a Cuſtome with *Torrel*, to give two and twenty Shillings of little Money for twenty of large Money, and that upon receiving her into the knowledge of this affair, ſhe had ſworn her upon a Bible to Secreſie, and that ſhe had obſerved *Bill*, Rub clip'd Coin, and carry out Money when Clipped to change: It was further proved, that upon the ſearch of *Torrels* houſe, that Sheers, Clippings, and Clipped Money was found, which the Priſoner endeavoured to hide and prevent from being diſcovered; ſo that the the Fact appearing plain againſt *Margaret Torrel* and *Martha White*, and they having little or nothing to offer in their own defence, but that *Pride* had impeached them to ſave her own Life, the Jury found them guilty of the High-Treaſon, but acquitted *Bill*, the Evidence not being poſſitive as to her Clipping, *&c.*

*Elizabeth Barly* of *White-Chappel*, was Tryed likewiſe upon an Indictment of High-Treaſon, for that ſhe on the 11*th.* of *January* laſt, had Clipped, Filed, and Deminiſhed, divers pieces of Current Coin, *viz.* Three Half Crowns, ſeven Shillings, and one Sixpence of King *Charles* the Firſt; againſt whom it appearing upon Tryal, that ſhe had been ſeen to Rub Clipped Money to bring it ſmooth, and make it look as if it had not been newly done, as alſo that it had been her cuſtome, to change away broad Money to Clippers for little Money, at three or four Shillings advantage in the Pound, and that ſhe had been ſeen to Clip one Sixpence; ſhe was found guilty of the Treaſon as laid in the Indictment.

*John Engliſh*, and *Jane* his Wife, were Tryed for Clipping Ten Half Crowns, and Twenty Shillings, of King *Charles* the Firſt, in the Pariſh of *Stepney*: Againſt the latter of which, it appearing that ſhe had been uſed to Rub Clip'd Silver, and to put away large Money to one *Elizabeth Mathews*, a notorious Clipper now fled, for 3 *s.* advantage in the Pound, and that ſhe had been ſeen to carry her money in order to have it Clip'd, beſides ſigns and tokens of Clipping, and Clip'd money found about her, ſhe was found guilty, but the former, *viz.* *John Engliſh* her Husband was Acquitted.

*William Reeves* of *White-Chappel*, was in like manner Indicted for Clipping on the 1*ſt.* of *February*, ſeven Half Crowns ten Shillings, and two Sixpences, upon whoſe Tryal it appeared, he had owned at the houſe of one *Andrews* a Victualar in *Roſemary Lane*, to *Elenor Pride*, that he had Clip'd money, and ſold the Clip'd Silver for 4 *s.* 10 *d.* an Ounce, and that when ſearch was made for him, he had not only endeavoured to fly, but that Clipped and Suſpitious money was found about him, yet he pleading Ignorance as to the former part of his charge, and excuſing his flight with the pretence of fearing an Areſt, in conſideration he was ingaged with his Brother for a Sum of money, and that the money that was found about him he had received for Hogs; the Jury acquitted him.

*Thomas Nuthall*, and *Elizabeth* his Wife, were Indicted and Tryed for High-Miſdemeanour, in uttering Clip'd money and bringing broad Money to *Elizabeth Barly*, *Elizabeth Mathews*, and others, and receiving for it, the advantage of 3 *s.* in the Pound of Clip'd money, or 23 *s.* Clip'd for 20 *s.* Broad; but they utterly denying it, and the Evidence not being very poſſitive againſt them, they were acquitted.

*Eſther Mathews* and *Ann Grantham*, were Indicted for the like offence as the foregoing Couple, *viz.* for Miſdemeanour in changing Broad money for the[illegible] Clipped, for [illegible] ſake, receiving [illegible] Shillings in the Pound advantage. The principal Evidence againſt them was *Elenor Pride*, who depoſed they had changed money with *Elizabeth Mathews*, eſpecially *Eſther Mathews*, and that *Ann Grantham* had changed money with her ſelf by ſmall parcels at a time, for which, there was an allowance proportionably; but the former utterly denying what was laid to her charge, and the latter alledged that ſhe never changed but one Half Crown with the Witneſs, and that then ſhe had eighteen penny worth of Farthings, and indeed, no conſiderable Sums appearing to have paſſed between them, or any other to that intent or purpoſe, they were acquitted.

*Richard Hide*, was Tryed for entering the houſe of *Mary Upter*, of St. *James's Weſtminſter*, on the 20*th.* of *February*, between ſix and ſeven of the Clock in the Evening, the Witneſs againſt him were *Upter* and her Maid; who depoſing that they ſurprizing him in the houſe before he had the opportunity of ſtealing any thing, he leaped out of the Caſement of the Window, which he had opened for his enterance by taking out a Quarry of the Glaſs, yet the Maid ſeized upon him in the Street, and cauſed him to be ſecured. His Plea againſt this was, that they were miſtaken in the man, catching him as he was going about buſineſs by the houſe, ſo that upon the matter by reaſon nothing was taken or removed, and the Indictment as it was layed, not amounting to a Felony, he was acquitted.

*Richard Townſend*, *Thomas Small* and *John Clark*, were Arraigned upon two Indictments laid for Felony: The firſt for ſtealing Fifty Marble Stones, value 30 *s.* the Goods of *John Steel* of St. *Anns Weſtminſter*, on the 20*th.* of *January* laſt.

The Second for ſtealing forty Marble Stones, value 30 *s.* properly the Goods of Sir *William Booth*, Kt. of the ſame Pariſh, *Townſend* pleaded guilty to both the Indictments; but *Small* and *Clark* puting themſelves upon the Jury for their Tryal; it appeared by the Witneſſes, that they had only attempted to take them from off the Ground where they were laid down with Mortar, and thereupon the Court adjudging it but a Treſpaſs, and that they could not be found guilty upon the Indictment for Felony; they extended their favour ſo far to *Townſend*, as to ſuffer him to retract his Plea, who with the reſt, putting himſelf upon the Jury a freſh, was with them acquitted of that Indictment.

*Nathaniel Lawyer*, Carrier of C. was Tryed upon an Indictment of Miſdemeanour, for uttering falſe money knowingly, which appeared upon Evidence to be Counterfeit Mill'd money that had paſſed through divers hands, and ſuppoſed to be received of him; but his Credit and Honeſt Reputation, being arreſted by divers perſons of Eminent Quality: The Jury giving in their Verdict, without going from the Bar acquitted him.

*Phillip Stains*, *and Ann Wilks*, of the Pariſh of St. *Brides*, were indicted for Robbing the Houſe of *Brian Jordan*, on the 24*th.* of *January* laſt, and taking thence a flowered Silk Gown, a Crape Gown, and 3 Petty-coats, value 10 *l.* to which, *Stains* upon his Arraignment pleaded Guilty, and it plainly appearing upon Tryal, *Ann Wilks* had confeſſed the Robbery, with the manner of her committing it, She was found Guilty.

*John Carpenter*, and *Nathaniel Brooks*, alias *Pen*, were indicted for Robbing the Houſe of *Fredrick Caſſius*, of St. *Giles's Cripplegate*, on the 5*th.* of *Feb.* and taking thence 4 dozen of Damask Napkins, ſeveral parcels of Child-bed Linnen, Pillows, Lace, Sheets, and other Goods, to the value of 10 *l.* to which, upon his Arraignment, *Brooks* pleaded Guilty, and *Carpenter* putting himſelf upon Tryal, it was proved that the Goods were found in his Cuſtody, at the *Goat* in *More lane*, and he having nothing material to offer in his own defence, was found Guilty.

He was likewiſe Tryed upon two other Indictments, for Robbing *Giles Dery*, and *Edward Ireland*, of the Pariſh of St. *Giles Cripplegate*, of Linnen, Wearing Apparrel, and other Things, to the value of 20 *l.* which at the ſame time as the former being taken in his Cuſtody, and he not being able to give any Account how he came by them, the Jury brought him in Guilty; *Brooks* having before confeſſed the Indictments upon his Arraignment.

*Mary Turbith*, was Tryed for ſtealing 2 Gold Rings, value 2 *s.* & a *Jacobus* piece of Gold, from *Henry Moſs*, of the Pariſh of St. *Chriſtopher's* in *Cornhill*, on the 28*th.* of *January* laſt. Upon her Tryal it appeared by *Moſs*, that ſhe had confeſſed the Felony which ſhe had committed during her living with him in the nature of a Servant, and it being again put to her in Court, ſhe there made a repetition of her former Confeſſion, and was found Guilty.

*Joſeph Wilſon*, and *George Clinton*, were Tryed for Robbing of *William Parker*, of St. *Mary Colechurch*, of a Box, value 2 *d.* 6 Guineas, and 15 *l.* in Silver, on the 3*d* of *Feb.* The Evidence was Mr. *Parker*, and others, upon whoſe teſtimony, it appeared that *Wilſon* had confeſſed he held the Candle, whilſt *Clinton* with an Iron inſtrument broke open the Cheſt and took out the Money, promiſing him a proportionable ſhare; but no other Evidence appearing againſt *Clinton*, but *Wilſon's* confeſſion, he was Acquitted, and *Wilſon* found Guilty.

*Jane*

*Jane Grey*, of *White chappel*, was Tryed for Clipping and Diminiſhing the current Coin of this Kingdom, on the 5th. of *December*, viz. 6 K. *Charles* the 1ſt. half Crowns, 3 *Charles* the 1ſt. Shillings, and 5 Sixpences of the like Coin. The Evidence againſt her was *Elenor Pride*, who depoſed, that ſhe had often ſeen her rub Clipp'd Mony, to make it ſmooth and paſſable, and that ſhe had changed Broad Mony for Clipp'd Mony, having the Allowance of 24 s. for 20 s. but neither of theſe amounting to Clipping, as laid in the Indictment, She was Acquitted.

*Chriſtian Shaw*, of St *Giles's Cripplegate*, was Tryed as Acceſſary with *Ann Fletcher*, who ſtands convicted of ſtealing a Holland Sheet, an Amber Necklace, 5 Gold Rings, and a broad piece of Gold, from *Henry Seal*, on the 4th. of *Feb.* but upon Tryal there being no other Evidence againſt her, than what *Fletcher* had confeſſed, viz. that ſhe had ſold her the Rings and the piece of Gold, and that proving inſufficient ſhe was Acquitted.

*Jane Hamilton* of the Pariſh of *Stepney*, was Tryed for Clipping and Diminiſhing the Currant Coin of this Kingdom, on the 20th. of *January* laſt, viz. Seven King *Charles* the Firſt Half Crowns, and ten Shillings, and Sixpence of the like Coin. The Witneſs againſt her was *Elenor Pride*, who gave Evidence that ſhe had ſeen her with *Margaret Torrel*, lately Convicted, and that ſhe had brought her large money, and took Clipped money with the advantage. and that ſhe was ſure ſhe had ſeen her bring thirty or forty Shillings, and that ſhe had likewiſe ſeen her rub money to make it look Old; but ſhe bringing Teſtimony of her way of living by her Labour and Induſtry for a Lively hood, was acquitted.

*Ann Edmunds* of *White-Chappel*, was Tryed for a Treſpaſs, in exchanging large money for that which was Clipped, on the 10th. of *January* laſt, againſt whom *Elenor Pride* gave Teſtimony, that ſhe had ſeen her bring broad mony to *Elizabeth Mathews* her Siſter, and that ſhe had received for it the uſual advantage, and that ſhe had ſeen her rub money to make it paſs Currant, and that ſometimes ſhe changed 10 s. and ſometimes more at a time; but the Priſoner alledging her innocency, and making many proteſtations to the contrary, was acquitted.

*Mary Willoghby*, was Tryed upon the ſame account as the former, viz. For changing broad money for that which was Clipped; but there being no poſſitive Evidence againſt her, ſhe was acquitted.

*Martha Aſpleck* of *White-Chappel*, was Tryed for changing on the 10th. of *November* laſt, broad money for that which was Clipped. The Evidence was *Elenor Pride*, who depoſed that ſhe knew her bring money on that account to *Elizabeth Mathews*; but ſhe bringing perſons to teſtifie that ſhe was a labouring Woman and got her living by Waſhing, &c. ſhe was acquitted.

*Thomas Frail*, was Tryed for melting Clippings to the quantity of Twenty Ounces of Silver, on the 15th. of *February*, and upon Tryal it being plainly proved againſt him, that he had melted Clippings to ſuch a quantity, and other quantities at divers times, as well in *Coveton* Fields, as *Well-Cloſe*, and that he was put in truſt by one *Fryer*, now in the *Marſhalſea* for Clipping; the Jury found him guilty of the Treſpaſs.

*Roger Harrington*, *Joſeph Hicks*, *T—— H——* *Humphrey Line*, and *Gilbert Thomas*, of St. *Giles's* in the Fields, were Tryed for Murthering *Edward Ryon*, by giving him one Mortal Wound on the Right part of the Head, and of the breadth of two Inches, and the depth of one Inch, on the 1ſt. of *February*, of which he languiſhed till the 6th. Upon the Tryal, it appeared that *Harrington*, *Hicks*, and *H——* had dragged the deceaſed out of his houſe in *Milford Lane*, under pretence of a General Warrant to ſeize upon Suſpicious perſons; and after ſome delay, by the advice of one *Henry Pope* ſince fled, carried him to the Priſon-houſe of *Gilbert Thomas* in *Lukeners Lane*, in the Pariſh of St. *Giles's* in the Fields, where by the order of *Gilbert Thomas* he was received by *Line*; and there beaten by *Harrington* and his Accompliſces, then continuing ſeveral days chained to the Floor without Suſtenance, he dyed on the 6th. of *February*, upon which Proof, though they ſought by many Excuſes to evade it: *Harrington*, *H——* and *Hicks* were found guilty of wilful Murther, and the other two acquitted.

J—— M—— was Tryed for Ravishing and carnally knowing againſt her willand conſent; *Mary Twine*, in the Pariſh of St. *Martins* in the Fields, on the 2d. of *February*, but it appearing upon Tryal it was done by her free conſent, ſhe being ſeventeen Years of Age, he was acquitted.

*Mary King* was Tryed for ſtealing two Shirts, value 9 s. one Smock, value 4 s. and a Blew Apron, value 1 s. from *Edmund Hall* of *Uxbridge*; on the 15th. of *January* laſt: The proof againſt her, was that ſhe had pawned one of the Shirts for 8 d. at an Neighbouring Ale-houſe; whereupon ſhe was found guilty to the value of 10 d.

*Charles Unwin* of *Stepney*, was Tryed for ſtealing a double Flaxen Clout, value 4 d. from *Richard Lewin*, on the 14th. of *February*, which upon Tryal, *Lewin's* Daughter depoſed he took off the Line; but he alledging he found it on the Ground in a Thorow-fare place, and the value being very ſmall he was acquitted.

*John Butter* of *Hamſted*, was Tryed for breaking the houſe of *Sam. Parker* in the Night time, on the 6th. of *De.* and ſtealing a Clock, value 6 l. with Curtains, Vallains, and other Goods to the value of 10 l. againſt whom it appeared upon Tryal, that he had ſold them with others of his Accomplices to a Broker, and received his part of the mony; whereupon not being able to give any good account of himſelf, he was found guilty of the Felony but not of the Burglary.

*Timothy Beton* of *Hendon* in the County of *Middleſex*, was Tryed upon two Indictments, for ſtealing 44 Cocks and Hens, and Ten Geeſe and Ganders, on the 20th. of *February*, the proper Goods of *Thomas Trunk*, Sen. and *Thomas Trunk*, Jun. *John Vincent* and *Richard Swift*. Alſo upon a third Indictment, for ſtealing a Gelding value 20 s. from *Mary Mathews* of the ſaid Pariſh; with which Gelding and Goods, it appearing he was taken on *Clarkenwell Green*, and having nothing material to offer for himſelf, he was found guilty of the three Indictments.

*John Johns*, was Tryed for breaking the houſe of *Robert Pedworth* of St. *Andrews Holbourn*, on the 17th of *February*, and taking thence five Yards of Bays, four Yards and a half of Cloath, three pair of Cloath Breeches, Petticoats of Crape, and Silk, with other things of conſiderable value; which upon Tryal appeared to be found in the hands of *Marmaduke Bell*, who produced one *Margaret Scot* of whom he bought them. and ſhe charged the Priſoner as the party who brought them to her, but he denying that ever he had them; and no other Evidence produced to prove it, he was acquitted.

*Agnes Clarkſon*, was Tryed for entering the houſe of *Mary Salwin* in the Pariſh of St. *Clements Danes* in the Night time, and ſtealing three Holland Sleeves, one Smock, one Looking Glaſs, one Silver Spoon and two Candleſticks, to the value of 25 s. Upon Tryal it appeared by *Salwin* that ſhe ſeized on her in the houſe and that the Goods at that time were removed; but ſhe pretending ſhe had been at a Womans Labour. and finding the Window open came in to affright the Proſecutor, who had for ſome time paſt been her Landlady; ſo that nothing being loſt, and the Proſecutor her ſelf giving a good Caracter of her ſhe was acquitted.

*Edward Brooks* of St. *Margarets Weſtminſter*, was Tryed upon two Indictments. Firſt, for ſtealing one Coat, one ſilver Box, two Rings and a ſilver Seal, from *Brian Scot*.

Secondly for ſtealing one Beaver Hat and 6 s. in money. from *Daniel Wiſor*: Upon Tryal it appeared, that *Brooks* and others his Accomplices coming to the Bell Tavern in *Weſtminſter*, and calling for a Bottle of Wine, took the opportunity to ſtep up into the upper Rooms; and braking open divers Trunks, took thence the Goods mentioned; but ſoon after the Priſoner being ſeized in attempting another Robery in *Holbourn*, the Coat and Hat was found upon him, which he alledged he bought of a Woman in the Street, but not being able to prove it, nor give any good Account of himſelf, he was found Guilty of the Felony.

*Richard Okeham*, was Indicted and Arraigned for ſtealing 5 s. from *Thomas Gillham*, on the 15th. of *February*; but poſting himſelf for his Tryal upon the Jury, and no Evidence appearing againſt him he was acquitted.

*Samuell Baſtel*, of the Pariſh of St. *Leonards Shoreditch*, was Tryed for entering the Houſe of *Cathrine Stepoell*. Widow, on the 6th. of *Feb.* about 3 in the Afternoon. when She and her Family were abroad, and ſtealing thence 12 Cambrick Handkercheifs, value 12 s. 2 Laced Coifs, value 10 s. a Laced Handkercheif, value 5 s. a Cap with Bone Lace, value 5 s. a Drugget pair of Curtains and Vallance, value 3 l. 10 s. with other Things of value, part of which Goods, being found in his Cuſtody, and he looked upon as a pilfring Fellow, not able to give any good Account of himſelf, was found Guilty to the value of 10 d.

*William Bellenger*, of St. *James Clarkenwell*, , was indicted for ſtealing a Bag, value 2 d. and 16 l. and 2 d. in Monys, from *Samuell Osborn*, on the 16th. of *Feb.* The Witneſs was the Proſecutor and others, who gave in Evidence, that ſoon after the Robbery, the Priſoner was purſued, and a great part of the Mony found about him, known to be the Proſecutors by the bag, in which he had ſome remarkable piece, upon which he had confeſſed the Robbery. and giving but a ſlender Account of himſelf, was found Guilty.

*Joſeph Wyat*, of St. *Batolphs* without *Aldgate*, was Tryed for ſtealing 2 Feather Beds, 2 Bolſters a Chopping Knife, a pair of Scales and a Iron Beam, together with a hundred Weight, a Skreen and Rug. from *Thomas Wayte*, on the 7th. of *January* laſt; but upon Tryal it appeared, that he removed them by the Order of *Wright's* Wife, ſhe was found to be an ill Woman; he was Acquitted of the Indictment, and the Proſecutor ordered to proſecute an Indictment for a Treſpaſs againſt him, at *Hicks's Hall*.

*Ann Edwards*, *Milliner Cary*, *William Savage*, and *Elizabeth Dudley*, the latter as Acceſſory to the former, were Tryed

&c.

for stealing Silver Ba[illegible] value 50s. 2 Silver Tumbler, value 20s. 3 Silver Spoons, value 15 s. from *Robert Tyfole*, of St. *Pauls Shadwell*, on the 27th. of *Feb.* against whom it appeared, that *Edwards* and *Cary* coming to visit the Servant Maid of the Prosecutor, under pretence of helping her to Scower, in the Night time carryed away the Plate, and that the 2 Spoons had been found in the Pocket of *Milliner Cary*, in the company of *Ann Edwards*: and further, that they had confessed they delivered the Plate to *Savage* to deliver to *Dudley*; but no other Evidence appearing against the two latter, the two former were only found Guilty.

*William Carter*, was Tryed for entering the House of *Edward Quant*, in St *Martins* in the *Fields*, on the 2d. of *Feb.* between 7 and 8 of the Clock in the Evening, and taking thence 2 Satine Hoods, 2 other Hoods, 2 yards of Point Lace, a Crape Gown, a Petty-coat, and other Goods. The Evidence against him was, that a Man being discovered in the Parlour, leaped out of the Window and fled, and being pursued, the Prisoner was taken near to the Place where the Things were dropped, but he alledging his Innocence, and the Witness not being positive that he was the Man, only that the party that had fled had white Stockings on, he was Acquitted.

*Peter Minchin*, of St. *Giles's* in the *Fields*, was indicted for entering the House of *James Exer*, and taking thence a Deal Box, value 12 *d.* but upon his Tryal nothing being given in Evidence against him, more than that he came to ask for a Party that lodged thereabouts, he was Acquitted.

*Richard Edwards*, *William Dean*, and *William Banister*, were Tryed for stealing wearing Apparrel, as Gowns, Petty-coates, Gold and Silver Lace, to the value of 10 *l.* from *Elinor Johnson*, of St. *Martins* in the *Fields*, the 22*d.* of *January*, by forcing, or otherwise opening the Lock, in the Night time; and upon Tryal it appearing they had sold the Goods to a Spaniard in St *Giles's*, and each of them received their Dividend of Mony, they were found Guilty of the Felony but not of the Burglary.

D—— *C*—— and *Thomas Davis*, were Tryed for Robbing a Gentleman in *Chancery-Lane*, of 16 *l.* and a Desk. The proof was that the Study was broken open by the opportunity of taking down the Window, and the Desk with the Mony taken thence the Desk being the next Morning found in *Lincolns Inn Fields*, with new Buildings, with many Writings of Concernment in it, but the Mony gone, yet not long after D—— *C*—— being upon [illegible] committed to the Compter confessed the Robbery, and declared how and in what manner he and his Confederate, who was soon after taken, committed it: So that making but a slender defence for themselves, D—— *C*—— was found Guilty of the Felony and Burglary, but the proof being not so positive against *Davis*, he was found Guilty of the Felony only.

*George Mackfeane*, being brought upon his Tryal for stealing Goods to a small value, was upon plain proof, and he not being able to deny the fact, found Guilty to the value of 10*d.*

There was another found guilty of Manslaughter; and the grand jury returned Ignoramus on another.

The Tryals ended, the Court proceeded to give Judgement of Death upon 9 *viz.*

*Timothy Lesson*, D—— *C*——*Roger Harrington*, *Joseph Hitch*, *T*—— *H*—— *Margaret Torrel*, *Martha White*, *Elizabeth Barly*, and *Jane English*: The Women to be Burnt.

Reprieved before Judgment, 4. *viz.*

*Ann Fletcher*, *Milliner Cary*, *Ann Edwards*, and *Ann Willis*.

Burnt in the Hand 12. *viz.*

*Richard Cole*, *William Jennings*, *William Bellinger*, *John Butler*, *Thomas Davis*, *Joseph Wilson*, *Phillip Stains*, *Mary Turbith*, *William Banister*, *Richard Edwards*, *William Deane*, and another.

Ordered for Transportation 4. *viz.*

*Thomas Griffith*, *John Carpenter*, *Nath. Brooks* and *Edw. Bridges*.

Sentenced to be Whip'd 4. *viz.*

*John Longstaff*, *Samuel Isabel*, *Mary King*, and *John Mackfeane*.

*Jonathan Gibbons* who was found guilty of a Petty Larcenary, had his Punishment changed into a Weeks imprisonment.

*Thomas Freil*, was Fined 30 *l.* and to continue in Prison till it be payed.

*Margaret Torrel* and *Martha White* pleaded their Bellys, but upon inquiry, only the latter was found quick with Child.

GOD SAVE THE KING.

*This may be Printed* R. L. S.
February *the* 28th. 1687.

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WHereas it was inserted by way of *Advertisement*, in the *Narrative* of the Proceedings of the Sessions of *Oyer* and *Terminer*, and Goal-Delivery of *Newgate*, at *Justice Hall* in the *Old-Baily*, in *May* last, that the Right Honourable *Thomas* Earl of *Stamford*, came to the said *Justice-Hall*; the Sessions, held in *April*, 1686. to hear the Tryal of one Mr. *Jacob Joyner*, Son of *Robert Joyner*, who formerly kept the *Bull Head* Tavern at *Charing-Cross*, against whom an Indictment was found by the Grand Jury of *Westminster*, for Robbing his Lordship of a Diamond Breast Jewel worth about 500 *l.* when the Witnesses bound to prosecute, gave attendance, but were dismist, and the said Mr. *Jacob Joyner* discharged, without any Tryal, by reason that the said Felony (if he had been guilty thereof) was pardoned by his Majesties most gracious Pardon, granted to his Subjects the 10th. of *May*, 1685. which *Advertisement*, as his Lordship is informed, hath been, and still is made use of, to Mr. *Jacob Joyner's* great prejudice.

His Lordship holding himself obliged in Honour, to do Mr *Jacob Joyner* all the right and justice he can, and as far as in him lyes, to vindicate his Reputation, is contented, and desires that it may be inserted into the Narrative of this present Sessions, began at the said *Justice-hall* in the *Old-Baily*, the 2d. of this Instant *February*, 1687.

That his Lordship is fully satisfied that the said *Jacob Joyner*, was no way concerned in the burning of his House, at *Broadgate* in *Leicester* Shire, nor in Robbing him of the aforesaid Breast Jewel, nor any other of the Jewels, or the Broad pieces of Gold, or Guineas, that were then stolen from him, neither was he, as his Lordship believes, in the Country when the House was Fired, and the said Robbery committed; but the said Gold and Jewels were stolen, or imbezell'd, by one *John Jenneus*, then his Lordships Valet de Chambre, confederating with some other of his Lordship's Servants at that time in his House, which *Jenneus*, afterwards imploying the said *Joyner*, to borrow Mony upon the said Breast Jewel, and telling him it was a Jewel of the Countess of *Stamfords*, that her Ladyship had given him, he shewing the same, and offering it to pawn, and declaring whose it had been, and how he came by it, notice thereof was given to his Lordship, who immediately obtained the Lord Chief Justice's Warrant, to take up both *Jenneus* and *Joyner*, the latter whereof was apprehended and bound to the Sessions, and prosecuted as aforesaid, but the former could never be found or taken, though diligent search hath been made after him in several Countys, and he has been put into the Gazette, with an offer of Twenty pounds, to any person that shall discover him.

Since which prosecution, his Lordship is fully satisfied by the Oaths of several persons, that the said *Jenneus* told them that he and one *Joel Corbet*, then his Lordship's Butler had taken away the said Jewels at the time of the aforesaid Fire; and that *Jacob Joyner*, was no further concerned, than that he first procured some money to be sent to them upon it from Citizens of *London*, and afterwards redeemed the same, and did himself lend a greater Sum to the said *Jenneus* thereupon, who with the said *Joel Corbet*, about *April* or *May* last, got the said Jewel out of the house, where the said *Joyner* when in trouble had left it for Security, and disposed the same, without paying back the money lent by him thereupon.

Whoever shall discover the said *John Jenneus* to Mr. *Thomas Templeman*, at the *Sun* neat *Norfolk-street* End in the *Strand*, and shall Apprehend him that he may be brought to Justice, shall have thirty Guineas paid him by the said *Thomas Templeman*.

*London*; Printed by *D. Mallet*, next door to the sign of the *Starr*, between *Fleet Bridge* and *Bridewell Bridge*. 1687.

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515, 2. 2.
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# The Last SPEECH AND CONFESSION OF Edward Altham,

Who was Executed at

# TYBURN,

ON

*Friday* the Twentieth of this Instant *July*, 1688. for a Rape committed upon the Body of *Ruth Ewbanck*, a Girl about Nine Years of Age.

THis Day *Edward Altham* was conveyed in a Coach from *Newgate* to *Tyburn*, in order to be Executed there. Upon his Tryal in the *Old-Baily*, he utterly Deny'd the Fact, altho' it was very fully and clearly Prov'd upon him by several very plain Evidence; besides the Girl confidently affirming that he was the Person that Lay with her, he being a near Neighbour to her Father, one Mr. *Ewbanck*, in or near *Old-Jury*, *London*. Also one of the Evidence saw him in the Room where the Girl cry'd out, after she had so cried out, where he laid her upon the Bed, and made the Rape upon her.

He had the benefit of Mr. Ordinary of *Newgate*, and other Ministers coming to him after he was Condemn'd, who oftentimes visited him in Prison, in order to prepare him for his future State, but could by no means work any thing upon him, whereby to make him Confess the

Crime

Crime, altho' the Horridneſs of it was laid open before him. But to the very laſt Breath, even when the Cart was draw'd away, he Denied the Fact, and would by no means be brought to any Confeſſion, neither by the Ordinary, nor the good Advice of another Miniſter, who were both preſent in the Cart, and Prayed with him and for him; and told him, That they could no ways abſolve or give him any ſure Satisfaction of the Safety of his future Happineſs, without his ingenuous Confeſſion. He anſwered them very affectionately, That he never committed any ſuch thing to the ſaid *Ruth*: All that ever he did, was only giving her a ſlap on her hinder Parts with his Hand. This he peremptorily ſtood in, ſaying, That he was falſly Swore againſt, and therefore would Dye in that ſort of Innocency, and leave the Iſſue to Almighty God. When he was in the Cart, he behaved himſelf very Penitently, and lamented his Untimely End, directing his Speech to the People, as followeth.

Good People, let me beg you all here preſent to have a care of your Luſt and evil Inclinations, and be ſure have a great care you do not break the *Sabbath-day*, a Sin which I have been very much guilty of, the product of which hath brought me to commit ſeveral other enormious and very wicked Actions, for which I have deſerved Death heretofore. Oh (ſaid he) what miſerable and unexpected Miſchiefs do Men bring themſelves to, by their own private Luſts and wicked Devices, being too apt to give way to the Temptations of the Devil, that common Enemy to all Mankind. Let every good Man take warning by me, and ſuch other like Examples that are before you; and let us all pray to Almighty God, to keep us from Temptations in this wicked World. And, Oh that you would all make good Uſe of every Example, ſo that it may ground you the better in the Practiſe of True Religion and Godlineſs. Let Men have a care of ſlighting the Mercies of God, and not make a Scoff and a Mock at Sin, leſt God give them up to ſuch like Evils as I have been guilty of, and drawn into; and then God will have more Honour, and the Goſpel of Chriſt more Credit, and many a Soul will be ſaved from Death both Temporal and Eternal. I beg you that hear me at this time, once more to be more wary how you order your Lives and Converſations in this World, and conſider what a heighth of Sin Men are grown to, and what power the Devil gets upon Men, eſpecially when they too much yield to his Allurements in the diverſities of his Temptations. Gentlemen, I have been guilty of all manner of Sin, and have committed Adultery, but never committed Murther in my life.

After this, he Prayed for himſelf, and ſung a Pſalm, and the Miniſters both Prayed for him, as aforeſaid. And indeed he behaved himſelf excellent well, and very ſenſibly, much like a Perſon of a more than ordinary Birth and Education, which did very much affect the Spectators, every Perſon ſeeming to be very Sorrowful for his Untimely End.

## His PRAYER, as followeth.

*O Almighty and Everlaſting God, who art exceeding Merciful and Kind to ſuch poor Creatures as I am who have committed very great and odious Sins and Iniquities againſt thee. Lord pardon all unto me in the Blood of* Chriſt; *I am a poor Creature brought here to Die for my Sins: I Confeſs all to thee; but Lord thou knoweſt my Innocency in this: I therefore come, throwing my Soul upon thy Infinite Mercy, through* Chriſt, *for Salvation. Lord hear me! Lord hear me! for thy Mercies ſake, and for* Jeſus Chriſt *his ſake, and take my Precious Soul to thy moſt Bleſſed Son's Boſom. Help, O Lord, through this Agony of Death, and bring me to thy Bleſſed Self. Sweet* Jeſus *Receive my Spirit.* Amen.

This is all, as to the manner of behaving himſelf ſince his Condemnation, even that he utterly Denied the Fact to the laſt, as afore-ſaid.

After he had Hanged about the ſpace of an Hour, he was Cut down, and conveyed back to *London* in a Coach, being put into his Coffin by his Friends and others of his Acquaintance, who were Perſons of good Credit, that were preſent at his Execution; and was after decently Buried by his Relations.

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## ADVERTISEMENT.

*THere was a Man found Dead this Morning about Eight or Nine a Clock in* Paddington Fields *near* Tyburn, *hard by the Place where the* Vintner *Kill'd his Wife about four Years ſince. He is now to be ſeen at* Paddington, *lying in a Publick Houſe, Wounded in three or four Places about his Body; but what he is, or who he belongs to, is not yet known, but ſeems to have belong'd to ſome Noble Perſon.*

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With Allowance. July 21. 1688.

LONDON, Printed by *George Croom*, at the *Blue-Bell* in *Thames-ſtreet*, near *Baynard's-Caſtle*, 1688.

4.98

# THE PROCEEDINGS ON THE Kings Commissions Of the PEACE,

AND

*Oyer* and *Terminer*, and *Goal-delivery* of *Newgate*, held for the City of *London*, and County of *Middlesex*,

AT

# JUSTICE-HALL,

In the

# OLD-BAILY,

The 10*th*. and 13*th*. days of *October*, 1688. *And in the Fourth Year of His Majesties Reign.*

575. L. 2. 123
K. Martesen.
Sessions. Old-Bailey

AT the Sessions Held at Justice-Hall, in the *Old-Baily*, on *Wednesday* and *Saturday* the 10*th*. and 13*th*. days of *October*, 1688. before the Right Honourable, Sir *John Chapman*, Kt. Lord Mayor of the City of *London*, together with other of His Majesties Justices of the City of *London* and County of *Middlesex*.

| London Jury. | Middlesex Jury. |
|---|---|
| *John Clarke* | *Thomas Martin* |
| *Richard Chowne* | *Edward Winford* |
| *William Skynner* | *Thomas Howard* |
| *Edward Atwood* | *Nicholas Goddard* |
| *John Passel* | *William Hopper* |
| *Robert Moore* | *Edward Nichols* |
| *Isaac Dyton* | *Richard Parriott* |
| *Richard Gibbs* | *Richard Oakely* |
| *Humphrey Bellamye* | *Joseph Waldoe* |
| *Charles Ricards* | *John Kent* |
| *Richard Jobber* | *Thomas Frampton* |
| *Edward Goreing.* | *Samuel Morris* |

*The Tryals of the Prisoners were as follows.*

*William Ast* of the Parish of St. *Peter's Paul's-Wharf*, was Indicted for the Murther of one *Thomas Raven*, on the first day of *August* last, giving him one Mortal Wound near his right Eye, with a Hammer, value 6 *d*. of which he Died on the 29*th*. Instant, *&c*. The Evidence deposed that the Prisoner owned the striking of *Raven*: But the Chirurgeon said that he might not Die so soon with the Blow, as he might [illegible] some irregularities in Drinking, or the like. The Prisoner called some Witnesses on his side, to prove that he did not strike the Deceased with the Hammer; and they all said that the Prisoner had no Hammer, but that he struck him twice, and gave him but a kind of a little Scar near his right Eye. So upon a full Hearing, he was Acquitted.

*Nowell Gawell* of the Parish of St. *Botolph's Aldgate*, was Indicted together with one *Francis Freeman* and two others as Accessories, not yet Taken, of Felony and Burglary, in Breaking the House of *John Stone*, on the 13*th*. of *August* last past, and taking thence (in the Night about One a Clock,) six Womens fine Shifts, value 6 *l*. two pair of Sheets, value 4 *l*. two Table-cloaths, value 10 *s*. two Dozen of Diaper Napkins, value 12 *s*. one Handkerchief, value 30 *s*. one pair of Lac'd Ruffles, value 20 *s*. one Green Cloth Carper, value 5 *s*. *&c*. The Evidence was Mrs. *Stone* and others; who deposed that the Prisoner was a kind of a Labourer about the House, and so might have opportunity to take away the aboveSaid Goods; some of which were left by him at an Ale-house, near to Mr. *Stone's* House. The Prisoner denied it, and said that the Goods were given him by another Man he met; but they that were with him were Fled. He made no other Defence for himself; and the Court looking upon him

to

to be a kind of an Idle Fellow, he was brought in guilty of the Felony, but Acquitted of the Burglary.

*Richard Jones* of the Parish of *St. Paul's Covent-Garden*, was Tryed for Killing one *Thomas Jones* a Chair-man, on the 17*th.* day of *September* last, with a Baggonet, value 6*d.* giving him one Mortal Wound on the left side of his Body, of the length of one Inch, and of the depth of six Inches, *&c.* of which he immediately Died. The Evidence declared in the general, that the Prisoner was found going along *Covent-Garden* Piazza, Swearing that he would Kill the next Man he met, and was seen to pull his Baggonet from under his Coat, and thrust it into the Side of the Deceased *Jones*; and then after he was taken and the Baggonet being produced, which he had dropt in his pursuit, he owned it to be his own, shaking his Head and Cursing Brandy and Women, *&c.* He had not much to say, but would have insinuated to the Court that the Deceased fell upon his Baggonet when they were Scuffling together; yet the Jury found him guilty of willful Murther.

*Henry Jeane* of the Parish of St. *Clement's Danes* Gent. and *Ann Crisp*, were Indicted, *Jeane* as Principal, and *Crisp* as Accessory, for willfully Murthering *Samuel Moore*, on the 20*th.* day of *July* in the *Strand*, at a House near the *Temple* side. It appeared upon the Evidence that the Prisoners being at the House of the Deceased at *Anny-seed Cleer*, there was a Quarrel arose between *Moore* and Mr. *Jeane*, and the Prisoner *Crisp*, about a Naked Bitch that the Deceased had of the Prisoners, which was lost; and the Prisoners were heard to threaten the Deceased that they would have his Blood, or the like: Some time after the Prisoner *Jeane* and the Deceased happened to meet in the *Strand*, and there they Quarreled afresh, and Mr. *Jeane* was seen to give the Deceased one Mortal Wound, of the depth of seven Inches; and that the Deceased was not seen to strike Mr. *Jeane*, *&c.* Although Mr. *Jeane* called several Witnesses, who declared that the Deceased and another Man a *Black-a-Moore*, were seen to strike Mr. *Jeane* the Prisoner several Blows, and that he stood and retired in his own Defence, being set upon by them as aforesaid. But *Jeane* had no Bruises nor Wounds about him to satisfie the Court that he was hurt: Besides the Chirurgeon declared in Court that the Deceased Died of the Wound that he received. So upon a very full and distinct hearing on both sides, *Jeane* was found guilty of Manslaughter, but the Woman was Acquitted.

*Richard Barber* of the Parish of St. *Clement's Danes* in the County of *Middlesex*, was Tryed for Felony and Murther, in Killing *Ann Stoner*, Wife of *William Stoner*, on the 8*th*, day of *August* last, giving her 3 Mortal Wounds with a Pistol loaded with three Leaden Bullets, value 5*s.* of the depth every one of them of eight Inches, of which she Died on the 9*th.* day of the same Month. The Evidence for the King declared that the Deceased and one or two more were going along *Witch-street*, and on a sudden a Pistol was Discharged, and the Deceased received the aboveſaid Wounds, of which she fell down and cryed out: But the Evidence could not be positive that the Prisoner was the Person that Shot her; only said that there was one on Horseback, and another on Foot went along the Street when the Deceased was Shot, and that the Prisoner said that he had no Malice against her after he was in *Newgate*; and it was further deposed that the Prisoner removed his Goods and Lodging the same Night the Murther was committed, and could not be found for a considerable time after. The Prisoner denied that he knew any thing of the Death of the Woman, but did not deny but that he was out on Horse-back in the Night in the Street; and further said that he Fled, because he was afraid of being Arrested, being much in Debt; to prove which he called some Witnesses, but none could attest that he was any where else on the 8*th.* of *August*, but at the Place where the Murther was done. He said that he was at *Ratcliffes*, but could get none to prove it: Yet the Evidence being not able to prove that he Shot the Deceased, he was Acquitted by the Jury.

*Henry Howel* and *Mary Harris* of the Parish of St. *Clement's Danes*, in the County of *Middlesex*, were both Indicted for the Murther of one *Richard Harris* on the 26*th.* day of *September* last, giving him one Mortal Wound in his right Eye, of the depth of four Inches, *&c.* The Fray was thus; the said *Harris* keeping a Brandy-shop, the Prisoner came in, and a Quarrel happened between them as they were Drinking, and that *Howel* was seen to Draw his Sword against *Harris*, and Swore that he would be the Death of him; and said that he came to do Mischief, and within one Month he would be the Death of him the said *Harris*, with several other desperate Asseverations; all which was confirmed against him by several of the King's Evidence, but they did not Swear any thing against the Woman. The Prisoner said that the Deceased set upon him and Drew his Sword first, and called one Witness on his side, whose Evidence was not much prevailing on his behalf; and although he urged the Court hard on his own part, yet the Court told him all he said signified nothing: So being Burnt in the Hand last Sessions for a Manslaughter, and being known to be an old Offender, and an idle Fellow, he was found guilty of Manslaughter: But no Evidence material appearing against the Woman, only that she had kept the said *Howel* Company, she was Acquitted.

*James Cary*, alias *Jefferyes*, a *Dutch* Man, of the Parish of *Stepney* in the County of *Middlesex*, was Tryed for Robbing *John Portlock*, of 1*s.* in Money, on the 11*th.* day of *September* last, in the King's Highway. The Evidence was *Portlock.* who said that the Prisoner and another Person met him in the Night-time about Eleven a Clock, and bid him Stand and deliver his Money, and he having but 2*s.* gave him one of them, which the Prisoner confessed before the Justice at his Apprehension by the Constable; and that he spake so in *English* to the Constable, tho' he pretended he could not speak it at his Tryal, but an Interpreter was Sworn on the Prisoner's account. Another Evidence said against him that he Fled when he was Pursued: he did not deny the Fact, but said that his Companion had taken the Shilling; and the Evidence all concurred that he spake *English*. The Interpreter told him the sence of what was Swore against him, which he could not deny; so he was found Guilty.

*William Savadge* a Soldier, of the Parish of St. *Andrew's Holbourn*, in the County of *Middlesex*, was Indicted for Picking the Pocket of one *Prudence Cannell*, Wife of Mr. *Edward Cannell*, of one Purse, value 6*d.* and 4*s.* in Money, on the 7*th.* day of *October*. The Evidence was Mrs. *Cannell* and others, who declared that as she was coming along *Southampton* Buildings, the Prisoner and another Justled her

her, and she lost her Money; but she did not Swear positively that he was the Man that Robb'd her; but other Evidence proved him to be the Person. The Prisoner had little to say for himself, and being known to have been an old Offender, and having no Witness on his side, he was found Guilty.

*Josias Best*, Doctor of Physick, was Indicted and Tryed for High-Treason, in Clipping and Coyning of Money, the last Fact being done about *January* last, *viz.* forty Pieces of King *Charles* the First's Shillings, and forty other Pieces of the King's Coin called Half Crowns, with certain Sheers and other Instruments fit for the purpose, diminishing from each Piece the value of 2 *d.* The Counsel for the King opened the Cause to the Jury, and called some Witnesses against the Prisoner, the chief of which was *Stephen Bayley*, who was taken on the First of *May* last in *Red-lyon Fields*, who said that he had been a Dealer with him, and that he had known him to have Clipp'd Money several times, and to change Broad Money for Clipp'd, at the rate of 1 *s.* 6 *d.* advantage in the Pound; and several Filings and other Pieces of Silver were found in his Custody when he was Taken; and *Bayley* further said that he had bought several Lumps of Silver of the Prisoner, and that he owned them to be of his own doing and Clipping; and that the Lumps were of the value of about 40 or 50 *s.* and that he confessed to *Bayley* further, that he got about 100 *l.* per annum by it: All which was very fully and strenuously Evidenced against him, *&c.* Thus far was the Evidence for the King against him. But the Prisoner would perswade the Court that he never knew any thing of what was charged against him, and denied all the matter of Fact, and argued very weakly in his own Defence. Whilest he was Trying, the Court ordered Mr. *Massey* and some others to go to one *Turner*'s in *Milk-street* where he had lately Lodged, where was found two bits of Silver in the Closet, and some Filings were seen upon the Ground, and a Hole made in the Wall, and the Room left in a kind of a Suspicious sort; all which was additionally Sworn against him; but he denied it all, and stood as it were one Stupified, having nothing material to offer for himself. So upon a very full and clear Hearing on both sides, he was at last brought in not Guilty; but yet was ordered to prepare very good Sureties, (at least 300 *l.* each) for his good Behaviour for the time to come.

*Robert Benneson* of the Parish of *Christ's-Church*, was Tryed for Stealing from *William Normavill* on the 8*th.* of *October*, two silver Tankards, value 15 *l.* two silver Porringers, value 7 *l.* Eight silver Spoons, value 4 *l.* one silver Cup, value 50 *s.* one silver Salt, value 8 *s. &c.* the Goods of *William Normavill*, as aforesaid. The Evidence declared that the Goods were lost out of the Prosecutor's House on a *Sunday* Night, and Search being made, the Plate was found in the Custody of the Prisoner, at the Red-Cross Alehouse in *Newgate-street*, where he was offering of it to Sale to a Gold-smith in St. *Ann's Lane*, whom he sent for to buy it: But the Prisoner denied it, and said that he knew not how the Plate came into the Alehouse, neither would he give any account how he came by it; so upon the whole, he was Acquitted.

He was a Second time Indicted for procuring Sheers and other Instruments fit for Clipping into his Custody, and for having Clipped Money about him, intending to put it off, on purpose to Cheat and Deceive the King's Majesti subjects of the King-dom of *England*, *&c.* The Prisoner told the Court that he never had any Clips Money in his Custody to put off for any private Advantage, *&c.* And said further that any Person might have Clipt Money about him, and do no harm with it: So the Jury acquitted him of the Misdemeanor; but withal the Court ordered him to find good Sureties for his good Behaviour for the future.

*Robert Foster* of the Parish of St. *Martin's* in the Fields, was Arraigned for stealing on the 6*th.* day of *September* last, one Gray Cloath Suit, value 5 *l.* one other Coat, value 3 *l.* one Waste-coat, value 10 *s.* and a few other small Goods, from *James Hunter*, &c. But the Court told him that he might Plead His Majesties most Gracious Pardon; which he did accordingly.

*John Nelson* of the Parish of St. *Mary Savoy*, was Indicted and Arraigned for stealing one Feather-bed, value 30 *s.* with other Goods of small value, the proper Goods of *James Wilson*, on the 28*th.* day of *September* last; but was Acquitted by vertue of His Majesties most Gracious Pardon, *&c.*

*Isabella Constance* and *Mary Tomson* of the Parish of St. *Lawrence Jury*, were both Indicted for stealing four Yards of Black Silk, value 10 *s.* on the 20*th.* of *September* last, from one *John Wyatt*; but both likewise received the benefit of His Majesties Pardon.

*William Phips* was like wise Arraigned for stealing a Gelding of a considerable value; but pleaded His Majesties most Gracious Pardon.

*Peter Barbey* of the Parish of St. *Michael's Cornhil*, was Indicted for Stealing on the 24*th.* of *September*, from *Ann Gandy* Widdow, one Brass Snuff-box, value 10 *s.* a *Tortle shell* Handled Knife, value 2 *s. &c.* The Goods of *Ann Gandy* aforesaid; but was Acquitted by pleading his Majesties Gracious Pardon.

*Ann Hedger* and *Ann Wait* were Indicted for stealing twelve Yards of Bone-lace, value 1 *l.* 10 *s.* and other Lace, value 5 *s.* but were presently Advised to plead as the others did before; which they did accordingly.

*William Husey* of the Parish of St. *Martin's* in the Fields, Gent. was Arraigned, for that he together with *Charles Hacket*, did Kill and Murther *William Endrick* Gent. giving him one Mortal Wound with a Rapier, value 5 *s.* of the breadth of one Inch, and of the depth of six Inches, on the 6*th.* day of *June* last, of which he Died on the 14*th.* day of the same Month. There being no Evidence against him but only the Widdow of the said *Endrick*, the other Witnesses being out of the way, the Prisoner was ordered to give in Bail before the Lord Chief Justice, to appear again next Sessions, and the Widdow bound in a Recognizance of 200 *l.* to appear also and bring in her Witnesses.

*George Wood* of the Parish of *Stepney*, was Indicted as Principal, and one *William Hunt* and *Mary Rice* as Accessories, (not yet Taken) for Breaking the House of one *Thomas Burgan* in the Night-time on the 15*th.* day of *August* last, and taking out thence fourteen Ells of Holland, value 3 *l.* a parsel of Muslin, value 3 *s.* eight Smocks, value 2 *l.* 12 *s.* two Smocks, value 2 *s.* nine other Smocks, value 1 *l.* 11 *s.* nine Shirts, value 1 *l.* 1 *s.* five pair of Holland Sleeves, value 1 *l.* four Childrens Frocks, value 18 *s.* one Suit of Child-bed Linnen, value [illegible]

8 s. three Dozen of Childrens Caps, value 18 s. three Muslin Aprons, value 7 s. 6 d. with several other Goods of a considerable value, the Goods of *Thomas Burgan* aforesaid. The Evidence for the King against the Prisoner was Mr. *Burgan* and others, who deposed that his House was Broke open between the Hours of Twelve and three in the Morning, and the Goods aforesaid were taken away whilst the Family was in Bed: The Prosecutor afterwards making Search and Enquiry after them, he found some of them in the House of one *Sarah Shaw*, at the Falcon in *Southwark*, where they were left, and offer'd to Sale by the Prisoner and the other two Accessories, who are since Fled. The Prisoner said that he knew nothing of the Breaking of the House, neither was he there; and that he was Innocent. But having no Evidence on his side, he was found guilty of the Felony, but Acquitted of the Burglary.

*William Chumley* of the Parish of St. *Clement's Danes* in the County of *Middlesex*, was Indicted for Feloniously taking away from *Peter Dormor* Gent. on the 6th. of *April* last, two Feather-beds, value 9 l. 10 s. Six Cane-chairs, value 7 s. one Chest of Drawers, value 22 s. two Trunks, value 5 s. *&c.* There was no Evidence appeared in Court against him yet the Court thought fit to continue him till the next ensuing Sessions, in order to take his Tryal for the same.

The **Tryals** being over, the Court proceeded to give Judgment, as followeth.

3 Persons received Sentence of **Death**, viz.

*Richard Jones* for Murther; *James Cary* alias *Jefferies* for Robbing on the High-way; *William Savadge* for Robbing in the Kings High-way.

*Richard Vausen John Ratteray* and *Nicholas Beck*, Servants to the Right Honourable the Earl of *Salisbury*, who were tryed the last Sessions, for the Murther of one *Anthony Matson*, a Beadle, and found guilty of Manslaughter, Appeared in Court and Received the benefit of His Majesties most Gracious Pardon.

*October* the 13th. 1688. **John Chapman**, Mayor.

## His Majesties Most Gracious and Free PARDON

WAS ordered to be Pleaded by several of the former as well as the present Convicted Felons in *Newgate*, whose Names were called over Successively, which are these Under-written; which they all in General Pleaded, upon their several and respective Knees, *viz.*

*Thomas Passford*
*John Barnes*
*Ann Mills* alias *Yates*
*Mary Batters*
*John Avery*
*Charles Hughs*
*John Sutton*
*Elizabeth Mallard*
*Francis Trasey*
*Margaret Meek* a
*Mary Wotten*
*Armington Poore*
*Solomon Spring*
*John Wyat*
*Elizabeth Parsons*
*John Overton*
*Henry Prosoley*
*Simon How*
*John Jackson*
*Arrabella Reeves*

*Anthony Sanderson* for a Fine
*Henry Hurt*
*Tabitha Porter*
*Henry Woodcock*
*James Nichols*
*William Goddard*
*James Robins*
*Thomas Pursival* } Highway-men.
*John Brown*,
*John George*.
*James Pidgley*
*William Goodman*
*Samuel Smith*
*Katherine Jones*
*John Collet*
*Robert Lamborn*
*George Emmet* } For Clipping.
*William Palmer*
*Valentine Cogswell*

*John Edwards*
*Nicholas Salter* } For Murther.
*John Stafford*
*Latimore Ridley*
*Richard Oxden*

These Under-written received the Benefit of His Majesties PARDON upon their being Arraigned.

*Robert Foster*
*John Nelson*
*William Philips*
*Ann Hedger*
*Ann Watt*
*Peter Barbey*
*Nowel Gawell*
*George Wood*
*Isabella Constance*
*Mary Tomson*
*Henry Jean*
*Henry Howel.*

AFter His *Majesties* Most Gracious PARDON was Read, the Court advised all those who were Pardoned, to consider how exceeding Merciful and Gracious His *Majesty* had shewed himself unto them; even to Save them Alive, and take them as it were out of the Jaws of a deserved Death; wishing every one of them to take good heed for the future how they spend their Precious Time; and bid them beware of falling into any the like Errors again: And urged them all to let the King's Clemency Influence them to live and lead a better Life than ever they had don beefore, *&c.*

*GOD Save the KING.*

*The Ensuing Sessions was ordered to begin at* Justice-Hall *in the* Old-Baily *on* Wednesday *the 5th. day of* December *next following.*

**With Allowance.**

LONDON, Printed by *George Croom*, at the *Blue P*[illegible] *Thames-street*, near *Baynard's-Castle*. 1688.

243
London.
K. Intelligencer. Sessions. Pe-Penny.

# THE PROCEEDINGS ON THE King's Commissions

515. l. 2
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## Of the PEACE,

And *Oyer* and *Terminer*, and *Gaol-delivery* of *Newgate*, held for the City of *London*, and County of *Middlesex*, at Justice-Hall, in the *Old-Bayly*, the 22*th.* and 23*th.* days of *February*, 1688. *And in the Fourth Year of His Majesties Reign.*

AT the Sessions Held at Justice-Hall, in the *Old-Baily*, on *Wednesday* and *Thursday*, being the 22*th.* and 23*th.* days of *February*, 1688. before the Right Honourable, Sir *John Shorter*, Kt. Lord Mayor of the City of *London*, and Sir *Bartholomew Shore*, Kt. and Recorder of the said City; together with other of His Majesties Justices of the City of *London* and County of *Middlesex.*

The Jury for London.

| | |
|---|---|
| *Edward Shrawly* | *Thomas Parcell* |
| *Christ. Raper* | *Thomas Willcox* |
| *Thomas Gardiner* | *George Westray* |
| *William Bird* | *Thomas Greene* |
| *Bartholomew Shelver* | *Giles Westrore* |
| *George Alder* | *John Enderly.* |

*The Tryals of the Prisoners were as follows.*

*Thomas Smith*, was Indicted for Breaking open the House of *Mary Callamy* Widow, in St. *Mary Alderman-bury*, about the Hours of Eight and Nine in the Night, on the 11*th.* of this Instant *February*, and taking thence one Cloath Coat fac'd with Velvet, value 40 *s.* being the goods of *Joshua Geering*. The Evidence against the Prisoner, was the Prosecutor, who said he came in at the Window and the Casement was open, and the Coat was brought down one pair of the Stairs and laid in the Parlour, and that they let him out of the Door, but the goods were not found upon him; and he pleaded, he was Pursued and run into the House. Upon the whole, he was brought in not Guilty.

*Thomas Smalley* and *Daniel Wheatly*, of the Parish of *Christ-Church*, were Indicted for stealing on the 16*th.* of *January* last, from *James Hayes*, Twenty six Spanish-Leather Skins, value 4 *l.* Thirteen Sheeps-Leather Skins, value 10 *s.* It appeared upon the Evidence, that the goods were stole out of a Ware-house in *Southwark*, and sold in *London*; that *Smalley* profer'd them to Sale, and was Apprehended, not being able to give any Account how he came by them. But little appearing against *Wheatly*, he was Acquitted, and *Smalley* was brought in guilty of Felony.

*John Hopworth*, of St. *Dunstan's* in the *West*, was Indicted for stealing on the 1*st.* of *February*, from *Arthur Darcy*, one Watch with a Silver Case, value 30 *s.* The Evidence was plain upon him that he came into the House and took the Watch, and that it was taken out of his Pocket: And he only saying he found it dropp'd in the Street, he was brought in guilty of Felony.

*Ann Walter*, of St. *Botolph* without *Bishopsgate*, was Indicted for stealing on the 25 of *January*, Twelve pair of Shooes, value 24 *s.* Three Boots, value 6 *s.* the goods of *John Cooper*, of the Parish aforesaid: But he only saying he found one pair of his Shooes upon her Feet, and not being able to prove that she offer'd any to Sale, and the Evidence being very slight against her, she was brought in not Guilty.

*Daniel Sconley* of Great *Alhallows*, was Indicted for Breaking open the House of *Anthony Shackliffe*, on the 4*th.* of *February* last, and stealing thence at Eleven a Clock at Night four Guinea's pieces of Gold, one French Pistol, value 17 *s.* 6 *d.* fourteen pieces of Gold at 23 *s. per* piece, and 116 *l.* of Silver in Mony numbred. It appeared that the Prisoner was a Spare-man to the Brew-house, and Lodged in a Srable belonging to the House, and that he Broke open the Door with a Hatchet; that the Money was found upon him, and that he confessed he was Drunk, and the Devil put it in his Head, and he could not rest till he had done it. Upon the whole, he was brought in Guilty.

*Hannah Wascoate* and *Jane Evans*, of St. *Peter's Cornhil*, were Indicted for stealing from *Henry Curtis* forty seven yards of Bone-Lace, value 5 *l.* one Gawz Hood, value 1 *s.* 6 *d.* one yard of Muslin, value 3 *s.* and other goods; but the Evidence proving to be insufficient, it was look'd upon as a frivolous Prosecution, and they were brought in not Guilty.

Thomas

*T*--------- *S*------ of the Parish of St. *Gregory's* in the Ward of *Castle-Baynard*, was Indicted for stealing a silver Mugg, value 35 *s.* on the 20*th* of *December* last, being the Goods of *Valentine Acton*. It appear'd upon the Evidence, that the Prosecutor keeping a Publick-house, the Prisoner with others was Drinking there, and he was the last that was in the Room when the Mugg was missing: But they not being able to charge it upon the Prisoner, he was Acquitted.

*Thomas Procter*, of the Parish of St. *Sepulchres*, was Indicted for stealing on the 13*th*. of *January* last, one Black colour'd Gelding value 7 *l.* the Goods and, Chattels of *William Stiles*. It appeared, that he being an Horstler at an Inn, he employed one to Ride the Horse in *Smithfield*, where he was Seized by the Owner. The Prisoner pleaded in his Defence, that the Horse was brought into the Inn by an unknown Person, and that he was treating with him to Buy him for 3 *l.* odd Money, intending to have him Toled; and some Persons speaking as to his Reputation, he was brought in not Guilty.

*Isaac Basfeild*, and *James Smith*, alias *Latimore*, of St. *Botolph* without *Bishopsgate*, were Indicted for stealing from *Ann Fitch* Widdow, on the 8*th*. of *February* last, one Bay-Gelding, value 6 *l.* one Mouse colour Gelding, value 8 *l.* It appeared by the Evidence that *Busfeild* brought the Horses to Town, ordering the other, whom he employed as a Servant, to put up the Horses in an Inn, where the Prosecutor found them; that the said *Busfeild* owned the Horses as his, and pretended he had bought them in the Country; but not being able to produce from whom, or where, he was brought in Guilty, and *Smith* Acquitted,

*Thomas Evans*, was Indicted for a Misdemeanour, for cheating one *Hannah Bell*, pretending to Marry her, and taking from her two Gold Rings and 21 *s.* in Money. It appear'd that he met with her in the Street, and calling her by her Name, got acquainted with her, and pretending his Wife Died in Childbed, made Love to her, after which they had several Meetings till he work'd his opportunity to get her Money and Rings from her; and it appearing that at the same time he had a Wife of his own, he was brought in guilty of the Misdemeanour.

## The Jury for Middlesex.

| | |
|---|---|
| *Joseph Phillips* | *John Read* |
| *Thomas Templeman* | *William Wild* |
| *John Page* | *John Usher* |
| *Nathaniel Nicholls* | *William Deane* |
| *Richard King* | *Richard Campion* |
| *Abraham Hill* | *Edmund Salter.* |

*Anthony Dier*, of the Parish of *Fulham*, was Indicted for Breaking open the house of *Elizab. Gilby* on the 11*th*. of *January* last, at Nine of the Clock in the Night, and taking thence 119 *l.* 11 *s.* being the Moneys of *James Board*. The Evidence as to the Felony was plain, he also having confessed the Fact before, and restored 34 *l.* 9 *s.* of the Money again; and having nothing to say for himself, but that he found the Money in the Street, he was brought in guilty of the Felony only.

*Elizabeth Bromley* of St. *James's Westminster*, was Indicted for stealing on the 14*th*. of *November* last, one Silver Spoon, value 2 *s.* two yards and a half of Needle work Lace, one yard of Flanders-Lace, one Sarsnet Hood, value 5 *s.* and other goods belonging to *Martin Hazlebanck*: It appearing she was a Lodger in the House and carrying off the said goods, and some of them were found where she had Sold them. She was brought in guilty to the value of 10 *d.*

*Robert Browne*, *Elizabeth Browne*, and *Walter Hunt*, all of the Parish of *Stepney*, were Indicted for Breaking open the House of *Thomas Merrit*, on the 31*st*. of *January* last, between the Hours of Ten and One in the Night of the same day, and stealing thence one Silver Caudle-Cup, value 40 *s.* two Silver Spoons, value 20 *s.* one Amber Necklace, value 14 *s.* three pair of Sleeves, value 8 *s.* Thirty six pound of Beef, value 8 *s.* and five Shillings in Money. The main Evidence against them was the Prosecutor's wife, who deposed, that *Browne* came into her House in the Night and Broke open a Trunk, out of which he took the fore-mentioned goods; but little of Evidence appearing against his Wife or the other, they were Acquitted, and *Robert Browne* was brought in guilty of Felony.

*Dennis Kitton*, *John Nicholls*, and *John Friswell*, were Indicted for Picking the Pocket of *Margaret Barwick*, of Eighteen Pence in Money numbred; but she not being able to say any thing against the Prisoners at the Bar, but that she found one *Kelley's* hand in her Pocket, who is since Fled, and that they were only in Company, they were all three brought in not Guilty.

*Elizabeth Clancey* alias *Morris*, of St. *James's Westminster*, was Indicted for that she, together with *Robert Starling* and *Robert Banwell*, who are not yet Taken, did break the House of *Thomas Phillips* Esq; on the 18*th*. of *November* last, between the Hours of Twelve and One at Night, and taking thence Eight Holland Sheets, value 20 *s.* Eleven Pillow-beers, value 11 *s.* one dozen of Napkins, Diaper Table-cloaths, a Sarsnet Cloath Wastecoat and other Goods. The Evidence against the Prisoner was plain, the goods were found upon her by the Constable stuffed in a pair of Breeches: But the Burglary not being proved upon her, she appearing also to be an old Offender, and the Wife of *Morris* that was Executed the last Sessions, she was brought in guilty of Felony.

*Solomon Spring*, *William Bartholomew*, and *Samuel Bushel*, all of the Parish of *Hornsey*, were Indicted for Breaking open the House of *Seigniour Alvaro de Costo* a Jew, on the 20*th*. of *January* last, at One of the Clock in the Night, and stealing thence three Holland Shirts, value 20 *s.* one pair of Holland Sleeves, value 5 *s.* one Holland Cap, value 12 *s.* one Gold Chain, value 40 *s.* The Evidence as to the Felony was plain upon them all; they were Seized the next Morning in the Fields, running away from the Officers; had Swords and Pistols about them, and one of them a Vizard; and it was deposed, that *Spring* pull'd some of the goods out of his Breeches when they were Seized: But the Burglary not appearing plainly against them, or that they were taken in the House, they were all three brought in guilty of Felony only.

*John Blakestone*, and *Richard Tovey*, were Indicted for Breaking open the House of *Matthew Shanno*, on the 16*th*. of *January* last, at Two in the Night, and stealing thence two Hatts, value 3 *l.*

six

ſix pair of Gloves and other Goods of a conſiderable value: *Francis Booth* was alſo Indicted as Acceſſory, for receiving, harbouring and abbetting the ſaid Perſons, and Buying the goods. The ſum of the Evidence was, that *Tovey* got into the Cellar, and open'd the door on the inſide to let in his Companions, while others ſtaid in the Street to receive the goods, and that after they went to a Drinking-houſe in the *Savoy*, where they ſhared the goods, and afterward Pawned ſome of them to a Broker in *Long-lane*; and ſome of the goods were found in *Booth*'s Cellar; their Examinations and Confeſſions before the Juſtice were alſo read: But the Proſecutor not being poſitive as to the Window being open or ſhut, they were brought in guilty of Felony only, and *Booth* the Acceſſory Acquitted.

*John Talbot* of St. *Clement-Danes*, was Indicted for ſtealing on the 2*d*. of *January* laſt, from *Samuel Grove*, one Cloath Coat, value 20 *s*. one pair of Cloath Breeches, value 5 *s*. and other goods. The Evidence was, that he took the goods in a Box out of the Houſe of the Proſecutor, and the goods were found upon him: He only ſaid for himſelf that he was Drunk and found the Box at the door; he was brought in guilty to the value of 10 *d*.

*John Roſe* of St. *Sepulchres*, was Indicted for Breaking open the Houſe of *Daniel Backer*, on the 6*th*. of *January* laſt, about Four in the Evening, and ſtealing thence two Firkins of Butter, value 40 *s*. and two Cheeſes, value 20 *s*. the Evidence relating nothing as to the Burglary, and all that could be proved upon the Priſoner that he carried ſome of theſe goods from one Place to another; to which he pleaded, that he was hired to carry them; and his Maſter appearing for him whom he had ſerved as a Shooe-maker for ſeven years. Upon the whole, he was brought in not Guilty.

*John Clayton* a Soldier, was Indicted for Deſerting his Colours, but no Evidence appearing againſt him, he was Acquitted.

*James Jordan* of St. *Matin's* in the Fields, was Indicted for Breaking open the Dwelling-houſe of *Matthew Stanno*, on the 17*th*. of *January* laſt, at Two in the Morning, and with other Perſons ſtealing thence two Beaver Hats, value 3 *l*. two Caſter Hats, value 20 *s*. Eleven dozen of Cordubeck Hats, value 44 *l*. and 20 yards of Ribbon Galloone. It appeared, that he had confeſſed the Fact before the Juſtice, upon which his Examination was read, to which he had ſet his hand, and that he had his ſhare of the ſaid goods; upon which he was brought in guilty of Felony.

*Philip Davis*, of St. *Paul's Shadwel*, was Indicted for breaking open the Houſe of *Richard Lamprey* on the fourteenth day of *January* laſt paſt, at two in the Night, and ſtealing from thence one Serge Pair of Breeches, value five Shillings, one Cloth Coat value twenty Shillings, one Caſter Hat, value ten Shillings. It appeared upon the Evidence, that the Coat and Breeches were found upon the Priſoner ſome time after, and that there was a hole made through the Wall into the lower part of the Houſe: but he pretending he bought the Goods, and the proof of the Burglary upon him not being poſitive, he was brought in guilty of Felony only.

*Mary Vaucks* of the Pariſh of St. *Clement Danes*, was Indicted for ſtealing a ſmall Giſtern, value twelve Shillings, on the twelfth day of *February* Inſtant, from *Thomas Porter*. She owned ſhe had it; but that being a Rag-Woman ſhe found it among Rags upon the ground. She was brought in guilty to the value of 10 *d*. only.

## The Proceedings againſt *Mary Aubry*, for Murthering her Husband; and *Dennis Fanet*, *John Fauet*, *John Deſermo*, as Acceſſaries.

MARY AUBRY, a *French* Woman, had her Indictment read to her, and an Interpreter for that purpoſe, *For that ſhe the ſaid* Mary Aubry, *Wife of* Dennis Aubry, *not having the Fear of God before her eyes, but being moved and ſeduced by the Inſtigation of the Devil, the* 27th. *of* January, *in the third Year of our Soveraign Lord the King, at the Pariſh of* St. Martins in the Fields, *in the County of* Middleſex, *did make an Aſſault upon* Dennis Aubry *her Husband, Feloniouſly, Wilfully, and Traiterouſly; and that the ſaid* Mary Aubry, *with a piece of Pack-thread which the ſaid* Mary Aubry *then and there had about the Neck of the ſaid* Dennis Aubry, *feloniouſly, wilfully, traiterouſly, and of Malice aforethought, did put, and thou the ſaid* Mary Aubry, *with the Pack-thread aforeſaid, the ſaid* Dennis *thy Husband, feloniouſly, wilfully, and with malice aforethought, then and there didſt choak and ſtrangle; of which ſaid choaking and ſtrangling of the ſaid* Dennis, *the ſaid* Dennis *then and there inſtantly died. So that thou the ſaid* Mary Aubry, *the ſame* Dennis *thy Husband, in manner and form aforeſaid, feloniouſly, wilfully, traiterouſly, and of malice aforethought, didſt kill and murther, againſt the Peace of our Soveraign Lord, his Crown and Dignity.*

And being asked by her Interpreter, If ſhe was guilty of this Felony, Murther, and Petty-Treaſon, or not; ſhe pleaded, *Guilty*.

After which, the Court ordered the *Interpreter* to tell her, That ſhe having confeſſed ſhe was guilty, ſhe muſt ſuffer for it; but that the Court was ſo favourable, that if ſhe were minded to put her ſelf upon the Country, and take her Tryal, ſhe might have it; but ſtill ſhe pleaded *Guilty*, and her Confeſſion was recorded.

*Dennis Fanet*, *John Fanet*, and *John Deſermo*, all of St. *Martins in the Fields*, were Indicted as Acceſſaries, for concealing the ſaid Murther, and harbouring, and relieving the ſaid *Mary Aubry*; and being asked whether they deſired a Jury of half *Aliens*, they anſwered in the Affirmative; upon which, a Jury was Impannell'd. Their Names,

| | |
|---|---|
| *Joſeph Phillips* | *Abraham Hill* |
| *Peter Mariſcoe* | *Gerrard Bocquet* |
| *Peter Templeman* | *Richard King* |
| *Henry Corboyer* | *Claudius Aquee* |
| *John Page* | *Matthew Nichols.* |
| *James Déprie* | *Henry Alexander.* |

The Council for the King pleaded learnedly in the matter, laying open the whole matter of Fact, That *Mary Aubrey* had confeſſed, that after ſeveral reſolutions to perpetate the death of her Husband, he accordingly on the 27*th*. of *January* laſt, coming home very much in Drink, at five a Clock in the Morning, he went to Bed, and being faſt Aſ-

through Excess of Drink, she took his Garter, and tied a Noose, and put it about his Neck and strangled him; that in the Morning she rises very much in Confusion, and so remained till the *Monday* following, there being great inquiry after her Husband, and then she went to her Son, who was then Servant to Mr. *Dubois*, desiring his Master to give him leave to come home; and when she came home, carried him and shewed him his dead Father-in-law; and that the Body being too big to be carried off, she cut off the Legs and Arms, and threw them into the *Savoy* House-of-Office, as also the Thighs, and carried the Trunk of the Body, laying it in a common place in *Parker's-Lane*, wrapping the Head also in a Cloth, and flinging it in a House-of-Office. Upon the Inquisition made of the Murther, her Husband being missing, she confessed the Fact, and that it was the Body of her Husband, which was known by a Mark as was said he had upon his Hand which was found in the House-of-Office.

After which, the Witnesses being called and sworn, the Sum of their Evidence was, That after the Murther of the Deceased, they talking with one of the Prisoners about it, and the Deceased's Wife, he should say, That we have sent him, meaning the Deceased, to the *Indies* to fetch Diamonds: but all that was given in Evidence, being not only full as to the Fact, the Court did not look upon it to be sufficient proof that the Prisoners at the Bar were either aiding, assisting, or abetting in the said Murther, the Evidence grounding their Discourse chiefly upon what the Wife of the Deceased had said to them, they were brought in, *Not Guilty*. But two of the Prisoners were to find Sureties for their Good Behaviour, and *John Desermo*, the Son, acquitted.

The **Tryals** being over, the Court proceeded to give Judgment, as followeth:

3 Persons received Sentence of **Death**: viz.

*Daniel Sconly,*
*Isaac Busfeild,*
*Elizabeth Morris.*

The said *Elizabeth Morris* pleaded her Belly, upon which a Jury of Women were Impannel'd, who brought her in with Child.

Seven Persons were **Burnt** in the **Hand.**

*William Bartholomew,*
*Samuel Bushel*
*John Blakestone,*
*Richard Tovey,*
*Phillip Davis,*
*John Hopeworth,*
*Thomas Smally.*

Four Persons ordered to be **Transported.**

*Anthony Dier,*
*Robert Browne,*
*Solomon Spring,*
*James Jordan.*

Three Persons ordered to be **Whipt.**

*Elizabeth Bromley,*
*John Talbot,*
*Mary Vaucks.*

*Thomas Evans* to stand in the Pillory, and be Fined Forty Shillings.

The Sentence against *Mary Aubry* was, *That she should be carried from thence to the Place from whence she came, and thence be drawn to the Place of Execution, and there be burnt with Fire till she is dead.*

The general Sessions of Peace and Goal-Delivery of *Newgate*, adjourn'd till *Wednesday* the 21st of *March*, at Two in the Afternoon.

And Sessions of *Oyer* and *Terminer* for the City of *London*, till *Wednesday* the 25th of *April* next.

*GOD Save the KING.*

*February* the 24th. 1688. *John Shorter*, Mayor.

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**With Allowance.**

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LONDON, Printed by *George Croom*, at the *Blue-Ball* in *Thames-street*, near *Baynard's-Castle*. 1688.

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# THE PROCEEDINGS ON THE King's Commissions AT THE ASSIZES, HELD AT Kingston upon Thames, For the County of SURREY;

ON

*Tuesday* and *Wednesday*, the 13*th*. and 14*th* days of *March*, 168⅞.
*And in the fourth Year of his Majesties Reign.*

Giving an Account of Forty Eight Persons that was Tryed. *Viz.* for Coining, Murther, Felony, and Burglary.

The Names of the *Jury* are as followeth.

| | |
|---|---|
| *John Ladd* | *Leonard Washington* |
| *John Caun* | *Robert Metcalfe* |
| *William Mayo* | *John Roberts* |
| *Thomas Stanton* | *John Fletcher* |
| *Richard Cruse* | *Moses Johnson* |
| *John Washington* | *Richard Patrick.* |

*The Tryals of the Prisoners were as follows.*

*Matthew Wright* and *John Stephens*, were Indicted upon Suspicion of Breaking and Robbing the House of *Benjamin Fisher*, and taking from thence a Silver Spoon, value ten Shillings and several other Goods; but the Evidence being slight against them, they were both Acquitted.

*George Oxford* was Indicted for stealing Two Silver Spoons from *John Athey* Gent. He was also Indicted for stealing out of the Cupboard of *Thomas Ward*, a Silver Tankard, value Six Pound; to both which he pleaded Guilty.

*William*

*William Glasborough*, was Indicted for picking the Pocket of *Jane Seyman*, and taking out thence a Bag, in which was four Shillings and Six pence in Money, and a ſilver Thimble; but ſhe not charging it fully upon the Priſoner, he was Acquitted.

*Daniel Barrett*, was Indicted for ſtealing from *Thomas Bryan* a Table-cloath; and alſo charged upon Suſpicion of ſtealing a ſilver Tankard from *William Price*: But the Witneſſes not being poſitive in their Evidence, he was brought in not Guilty.

*William Dodſon*, was Indicted for ſtealing ſix Fowls from *William Naſh*; but the Evidence being ſlender againſt him, he was Acquitted.

*Thomas Vaine*, was Indicted upon Suſpicion of Breaking open the Houſe of *John Sherwood*, between the Hours of Two and Four in the Afternoon, and taking from thence ſeveral Goods, to the value of Five pound; but he was brought in guilty of the Felony only.

*Nicholas Towers*, *Andrew Doller*, and *Abigail Camell*, were Indicted upon Suſpicion of Robbing the Houſe of *Henry Mordon*, and taking Goods and Money to a conſiderable value: The proof was plain againſt *Doller*, who was found guilty of Felony and Burglary, but the other two were Acquitted.

*Giles Barnes* and *Edward Robinſon*, were Indicted for feloniouſly ſtealing out of the Houſe of *Ann Radcliffe* in *Thames-ſtreet*, one Mohair Petticoat, value Eight Shillings, and ſeveral other Goods, to the value of forty ſix Shillings. *Barnes* was found guilty of the Felony and Burglary, but *Robinſon* was Acquitted.

*William Swanton*, was Indicted for ſtealing a Brandy Cup, value Two Shillings, one Mohair Crimſon Petticoat with Silver Lace, and a Broad-cloath Waſte-coat, value forty Shillings; for which he was brought in Guilty.

*William Mayden*, was Indicted for feloniouſly ſtealing the Wearing Apparel of *Thomas Jarvis*, and was brought in guilty to the value of Ten pence.

*Charles Bucknell*, was Indicted on Suſpicion of ſtealing ten Hoggs, and he pleaded Guilty, confeſſing the Fact.

*John Gaines* was Indicted on Suſpicion of ſtealing a Black Gelded Colt, but there being no poſitive Proof againſt him, he was Acquitted.

*Richard Starkey* and *Henry Porringer*, Indicted for ſtealing a Horſe, but the Evidence being plain againſt them, they were both brought in Guilty.

*Joſeph Suttibey*, Indicted for Breaking open the Houſe of *Thomas Reſſey*, but there being no Evidence againſt him, he was Acquitted.

*Jane Stephens*, *Martha Berry*, and *Thomas Woodcock*, were Indicted for Breaking open the Houſe of *Iſabella Simpſon*, and taking from thence ſeveral parcels of Linnen and Lace to a conſiderable value: But the Evidence not being poſitive againſt either of the two Women, they were both Acquitted, and *Thomas Woodcock* was brought in guilty of the Felony and Burglary.

*Thomas Johnſon*, Indicted on the account of ſtealing five Hoggs, and they being found in his Cuſtody, and he having little to ſay for himſelf, he was brought in Guilty.

*Robert Sigswick*, was Indicted upon Suſpicion of ſtealing a Horſe: He confeſſed the Indictment, and was brought in Guilty.

*Thomas Diggs*, alias *Granwall*, was Indicted upon the account of Felony and Burglary, but no Proof being againſt him he was Acquitted.

On

One *Jaekſon* was Indicted on Suſpicion of ſtealing a Horſe, but he producing the Man that he hired the Horſe of, he own'd that he lent the Horſe to *Jackſon:* they asked him how he came by it, but giving no good Acconnt thereof to the Court, he was taken into Cuſtody and *Jackſon* Acquitted.

Two Brothers were Indicted for Robbing of *John Green*, and *William Rutland*, on the King's High-way, and taking from them a ſilver Watch, and fifty Shillings in Money: Alſo upon another Indictment, for Murthering *Philip Earnly*, who perſued them, they were found Guilty of both.

*Robert Lyme*, was Indicted for feloniouſly entring the Houſe of *John Wild*, and ſtealing from thence a Coat and Breeches, a Black Scarf, and a Gold Ring, to the value of forty Shillings. He was found guilty only of the Felony.

*Elizabeth Ricketts*, Indicted for ſtealing ſeveral parcels of Wearing Apparel, which ſhe Confeſſed, and was brought in guilty of the Felony.

*Jone Goodger*, was Indicted for ſtealing a parcel of Linnen, worth thirty four Shillings, being the Goods of *Francis Alexander*, and it being plainly proved upon her, ſhe was brought in guilty of Felony.

*Elizabeth Eaton*, was Indicted for ſtealing a Coat and Breeches, and a Sarſnet Hood from *Robert Lee*; all which ſhe Confeſs'd, and was brought in guilty of Felony.

*Mary Boone*, Indicted for ſtealing ſeveral parcels of Houſehold Goods from *Anthony Crumwell:* She confeſſed the Indictment and was found guilty of the Felony to the value of 10 *d.*

*Sarah Bynum*, was Indicted for ſtealing from *Mary Michell*, ſeven Pound, part being in Guinea Gold; but the Evidence not being poſitive, ſhe was Acquitted.

*Elizabeth Hill*, Indicted for feloniouſly taking away from *Frances*, the Wife of *William Turner*, Linnen and Wearing Apparel to the value of twenty Shillings: The Evidence was full againſt her, ſo ſhe was brought in guilty of Felony.

*John Drew*, Indicted for Stealing a Sheet, a Cleaver, and Still-yard Weights, was brought in guilty to the value of Ten pence.

*Robert Thomſon*, who was brought from *Newgate*, being lately Taken, was Indicted for a Murther committed about two years ſince, and was found guilty of Manſlaughter.

*William Morris*, was Indicted on the account of Clippihg and Coining, but the Evidence was ſo ſmall againſt him, that the Court Fined him.

*Thomas Pinnock*, was Indicted on Suſpicion of Stealing ſome Iron from *Alexander Martin*, but there being no Evidence againſt him, he was Acquitted.

*Sybill Gole*, was Indicted for Waſhing of Braſs Money, and putting it awa yfor good: She was brought in guilty to the value of Ten pence.

*William Davies*, alias *David Smith*, alias *Michell*, alias *Mutton*, Indicted on Suſpicion of Stealing ſeveral Hats, but the Evidence not being poſitive againſt him, he was acquitted.

*Francis Stainey* Indicted for Stealing a Gold Ring, value Ten Shillings, from

from *William Windal*, but there being no Evidence as to Proof, he was Acquitted.

*Philip Taylor*, was Indicted for Stealing two Baggs of Spaniſh Wool, from *Edward Waker*, but nothing appearing upon proof, he was Acquitted.

Tow Perſons were Indicted for Aſſaulting the Body of *Henry Glover*, Eſq; and others, and by their encreaſing of the ſaid Riot, one Man was Killed and ſeveral Wounded; but they put in a Plea, to Traviſe it till next Aſſiſes.

*William Jones*, alias *Summers*, and *Richard Edwards*, Indicted for Breaking open the Houſe of *Mary Lloyd* Widdow, at *Peckham*, and taking from thence 200 Guinea's, a Watch, with ſeveral Broad Pieces of Gold, and ſeveral French Piſtols, being in all to the value of Five hundred Pound; the Witneſſes were very poſitive as to the Burglary and Felony, of which they were both found Guilty.

*William Haynes*, was Indicted on the account of Murther, but he producing ſeveral Witneſſes as to his good Behaviour, and that he only by Fighting fell upon the Deceaſed Perſon, and the Coroner's Inqueſt ſpeaking as to the Clearneſs of the Corps of the Deceaſed, there being no hurt about him, the y brought him in guilty of Manſlaughter.

The Tryals being over, the Court proceeded to give Judgment as follows.

Eight Perſons received Sentence of Death, *viz.*

*Richard Starkey,*
*Henry Porringer,*
*Robert Sigswick,*
*J— B—*
*T— B—*
*William Jones,*
*Richard Edwards,*
*Thomas Woodcock.*

Thirteen Perſons Burn'd in the Hand.

*George Oxford,*
*Andrew Doller,*
*Giles Barnes,*
*William Swanton,*
*Charles Bucknell,*
*Thomas Johnſon,*
*Robert Lyme,*
*Elizabeth Ricketts,*
*Jane Goodger,*
*Elizabeth Eaton,*
*Elizabeth Hill,*
*Robert Thompſon,*
*William Haynes.*

Six Perſons ornered to be Whipt.

*Thomas Vaine,*
*William Mayden,*
*Mary Boone,*
*John Drew,*
*Sybill Gale,*
*William Morris.*

*This may be Printed*, March 19th. R. P.

LONDON, Printed by *George Croom*, at the *Blue-Ball* in *Thames-ſtreet*, near *Baynard's-Caſtle*. 1688.

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A Full and True Relation of the

# MURTHER

OF

# Doctor Urthwait,

Archdeacon of the ISLE of *MAN*;

WHO

**In an Inhuman and Barbarous manner, cut his own Throat, in *Curriers-Hall-Court*, within *Cripple-Gate*, on *Wedneſday* the twentieth of this inſtant *December*; with ſeveral other Circumſtances thereunto appertaining.**

GOD gave unto Man an Upright Heart and that full of Wiſdom and Knowledge; and in likeneſs to himſelf, beyond all other Creatures he made; but as he made Man, ſo likewiſe made he the Devil; to try his People, eſpecially thoſe whom he hath called to be the Miniſters of his Goſpel, to throughly purge them, they having the Care of many Souls: But by the Inſtigation of the Devil, Wordly Gain and Honour, are often led away, as by the ſequel of this will appear, by one Doctor *William Urthwait*, Archdeacon of *Man*, and ſometimes Tutor to the Earl of *Darby*'s Family; who was in a Place of great Truſt (for Man's Salvation) But more regarding the Times than the Souls of his Hearers (ſuppoſed to be leaning to the Church of *Rome*, as may more plainly appear) but the Alteration now that is much reflecting upon him, and the miſpent Time, cauſed a ſudden Deſparation in him to lay Violent Hands upon himſelf, a Crime odious to God and Man. I adviſe all, whoſe Study is wholly to Out-vie by loquaſity, thoſe of his Equals, and ſtrain that of his Gown to what his Humor led him, ſeeming to Out-vie thoſe of his Station; and his far-fetch't Arguments and rationality to that of Time-ſerving; but that Divine Juſtice often overtakes ſuch Barely-Gowned Men in their own Arguments and brings them to a ſignal Demonſtration of Divine Juſtice upon them; is viſible by this following Relation.

On *Wedneſday* the Nineteenth of *December*, 1688. one Dr. *Urthwait*, Archdeacon of *Man*, came to Lodge at one Mrs. *Wilds*, a Widow, in *Curriers-Hall-Court*, near *Cripplegate*, and that Night was ſeemingly much pleaſed with his Lodging, in ſo much, that he commended the Air, *&c.* And having removed from his former Lodging, as ſuppoſed to avoid the Rabble, asked, If the Rable were Quell'd; a Lodger in the aforeſaid Houſe anſwered, *It was* (as he believed); He Replied, If they were not, and came into the Court, it was impoſſible to make his Eſcape out; a little after he went very chearfully to Bed, the next day, about Noon, Mrs. *Wild*, his Landlady, heard him walking about the Room (from thence till Candlelight) hearing nothing of him, went up Stairs, and often calling to him, but no anſwer being made, the Landlady, Mrs. *Wild*, immediately ſent for a Conſtable and ſome Neighbours, who broak open the Door, and found the ſaid Doctor in Bed, as fallen from a ſitting Poſture, a Razor and Pen-Knife both Bloody by him upon the Bed, his Head lying againſt the Beads-head-board, with his Britches underneath his Head, with a Guinea, and fourteen Shillings in Silver, with ſome Farthings, with his Throat Cut in a moſt Inhumane and Barbarous manner, the Orifice being three or four Inches long, and a conſiderable Depth, but the Body not cold; In the Chamber were ſeveral Papers torn and thrown about the Room.

On *Friday* the twenty firſt of this inſtant *December*, the Coronor having aſſembled a Jury of Subſtantial Citizens, as is uſual upon ſuch Occaſions, and having made a ſtrict Scrutiny, as became ſo judicious a Convention, and the Witneſſes by moſt incontrolable Circumſtances, made apparent, That his former Diſputations, Argumentive Siloguſms, and Time-ſerving Equivocations, which he endeavoured to prove; and his other Inclinations to that Party, had rendred him odious, as he ſuppoſed, to the Mobile, and brought him to that of Deſpair, and rendred him to the Jury, *Non compus Mentis*,

E. 90

A True and Faithful

# ACCOUNT

Of the SEIZING

## Thirty Seven

## SUSPECTED PERSONS,

And among them

## Some known Papiſts;

Who were Caballing againſt the

# GOVERNMENT

In a Tavern, With the Manner of their Apprehenſion.

THe laſt Week ſome Deſigning Perſons, as mentioned in the *Gazette*, took the boldneſs to Seize both the *Scotch* and *Iriſh* Mailes, carrying away the King's Pacquets from each; which as it is a matter of that high Concern, ſo it Demonſtrably beſpeaks that the *Romiſh* Party who have a natural Propenſity to practiſe Miſchief againſt the Government, deſign to have ſome extraordinary Project put in Execution: But, as praiſed be God, none of their Contrivances have hitherto met with Succeſs, ſo the merit of the Cauſe, as well as the indefatigable care of the Government is ſuch, as to defeat the Deſigns of the Diſaffected and *Grumbletonian* Incendiaries, a more notable Inſtance has not been extant.

The Mails aforeſaid being ſeized, and thereby the King's Advice diſcover'd, extraordinary Diligence was uſed to find out the Authors of this miſchievous Proceeding; and conſidering that not the Gaols, but rather ſome Taverns ought to be inſpected, a double Diligence and Scrutiny was made into ſeveral places, where, under the Notion of meeting and drinking purely with a Friend there, Complotting and Caballing was the Intent, and, as the Sequel demonſtrates, the Cauſe. So the Government having got Information that a more than ordinary Number of Gentlemen, *&c.* held a Rendezvous at one *Brooks's*, who keeps the *New Cock* and *Bottle* in the *Strand*

near *Charing-croſs.* Two Meſſengers were appointed on *Thurſday* Even[ing] to beat up their Quarters, who, conſidering the Number of the Enemy they were like to Encounter with, prudently repaired to the Captain of the Guard at *Whitehall*, and he forthwith ſent a Lieutenant with One File of Granadiers, and Four of Muſquets, to aſſiſt them in the Action; Command being firſt given to load with Ball, and not to ſpeak a Word to one another in their paſſage; which was performed with that Precaution and Diligence, that they arrived at the aforeſaid Tavern without the leaſt Miſtruſt or Preknowledg[e] who boldly entring the Houſe, without ſtaying for the Drawer to ſhew them a Room, they found out one themſelves, but the Door being ſhut, took the liberty to force an Entrance, where meeting with a great Number *Papiſts*, they, like the true *Iriſh*, were ſo baſhful at their Sight, that ſome hid themſelves in the Chimney, behind the Curtains, *&c.* and would have diſpoſed of their Papers, but were forced to ſurrender themſelves with their Weapons, and what they had about them that might be miſchievous. The like diligence was uſed in other parts of the Houſe, where was ſcarce a place but they found ſome, and others eſcaping on the Tops of the Houſes; but being brought all into a Room, and commanded to Sit down, there was found to be Thirty ſeven of them, beſides a Woman, there being little Miſchief done where one of their Sex is not concerned.

The Lieutenant and Meſſengers took the Names of them *Seriatim*, and found divers *Papiſts*, ſeveral Officers and other Soldiers, ſome whereof had formerly rid in the Lord *Dover*'s Troop of Guards, under the Late King *James*: And ſome of the *Grumbletonian* Gang, who finding the Late King's Intereſt in all the Three Kingdoms to be near Expiring, would like a Candle give the greater Blaſt at going out. And there was ſuch Cauſe found againſt the Maſter of the Houſe, tho he pleaded he never ſaw them before, as to keep him a Priſoner with them. For moſt part of the Night they continued at the Tavern, but afterwards 21 of them were ſent to a Meſſengers in *St. Martin's-lane*, and 16 to anothers, where they are kept Priſoners, while their Papers can be peruſed, and they examined.

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Licens'd *Sept.* 6. 1689.

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*LONDON*, Printed for *J. C.* near *Fleet-Bridge*, 1689.

# An Account of the Apprehending of the Treaſonable Deſigns diſcovered in ſome Papers found in the falſe Bottoms of two large *Brandy* Bottles, on the 21ſt. of *October*, 1689.

Licenſed *October* 24*th* 1689. *J. Fraſer.*

THE Security their preſent Sacred Majeſties now ſtand upon, and the Foundation the Proteſtant Religion receives from their Adminiſtration, ſeems ſo eſtabliſht that their Enemies are reduced to their laſt ſhift of Wile and Stratagem, under the Covert of Diſguiſe and Night to work their dark and hidden Deſigns againſt Them. An Inſtance of which has very lately demonſtrated the Subtilty and Reſtleſneſs of that unſatisfied Party, which take as follows. The Lady *Griffin*, Wife to the Right Honourable the Lord *Griffin*, A Lady that has ſome years layn under the Affliction of Blindneſs, living in the *Pall-mall*, employed one of her Servants to beſpeak two large Pewter *Brandy* Bottles containing five or ſix Quarts each Bottle, with each of them falſe Bottoms; which when ſhe had got finiſhed, on the twenty ſecond Inſtant, late at Night, between the hours of Ten and Eleven, ſhe ſent her ſaid Servant in company with a young Page of hers with the ſame Bottles to a ſtrange Pewterer's living in *Panton-ſtreet* to get the falſe Bottoms ſoder'd faſt down upon the Bottles, in which Bottoms ſhe had cauſed a great Parcel of Treaſonable Letters to be laid and covered with Cotton: The honeſt Pewterer, ſurprized at the ſight of two Bottles of that ſly ſort of make, and the cunning Conveyance of private Things thus ſuſpiciouſly ſtowed in them, being likewiſe a little ſtagger'd at the unſeaſonableneſs of the Time of Night when they were brought to him to be thus cloſed up, made bold to ſatisfie his Curioſity by ſearching what lay concealed under the Cotton; and finding them to be a large quantity of Letters, apprehended both the ſaid Servants of the ſaid Lady, who were that Night committed to the *Gate-houſe*, (where the elder Servant now lies cloſe Priſoner,) and the Letters he conveyed to the Right Honourable the Earl of *Shrewsbury* Principal Secretary of State. The Lady upon Inquiry after her is taken into Cuſtody.

*LONDON*, Printed in the Year, 1689.

THE

# PROCEEDINGS

ON THE

# King and Queens Commissions

OF THE

*Peace*, and *Oyer* and *Terminer*, and *Gaol Delivery* of *Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex*, at *Justice-Hall* in the

# OLD-BAYLY,

On *Wednesday*, and *Thursday*, being the 9*th*, and 10*th* Days of *October*, 1689.
*And in the First Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, *Oyer* and *Terminer*, and Gaol Delivery of *Newgate*, held at *Justice-Hall* in the *Old Baily*, on *Wednesday* and *Thursday*, being the 9th and 10th Days of *October* 1689. Before the Right Honourable Sir *Thomas Pilkington* Kt. Lord Mayor of the City of *London*, and Mr. Recorder, with several others of Their Majesties Justices for the City of *London*, and the County of *Middlesex*.

*The Jurors were as follow:*

| London Jury, | Middlesex Jury, |
|---|---|
| *John Lapley* | *Jonas Morley* |
| *Daniel Taylor* | *Thomas Mead* |
| *Edward Atwood* | *John Milgate* |
| *John Pursell* | *Richard King* |
| *Henry Emmet* | *William Finch* |
| *Isaac Dyghton* | *Thomas Arundall* |
| *Arthur Eveling* | *Abraham Lock* |
| *Charles Essington* | *William Russell* |
| *Henry Phillingham* | *Richard Levigg* |
| *Edward Goreing* | *Stephen Sharpe* |
| *Edward Leaver* | *William Munday* |
| *James Smith.* | *Henry Pearson.* |

*The Proceedings were these:*

*Abel Dodson* of the Parish of *St. Brides*, was tryed for the Murther of one *George Burton*, giving him one mortal wound near his Left-Eye with a Musquet value 5 s. of the depth of 6 Inches, of which he instantly died. He was likewise Indicted for wilful Murther by the Coroner's Inquest, *&c.* The Evidence deposed, that the Musquet was shot off by the Prisoner, and that he said he did it accidently, firing it off into a Ditch near where the Deceased stood, and was very sorry for it, and that he had no Malice against the Deceased, for that he was a Stranger to him, *&c.* all which he did not deny upon his Tryal, so he was found Guilty of Manslaughter only.

*Elizabeth Brown*, alias *Latham*, was Tryed for Robbing one *Alice Human* in the *Strand*, making an Assault upon her, taking away a Silver Medal value 10 s. and 5 s. in money. It was declared against her, that she met the Prosecutor in the Street, and set upon her in company with some other Women. But the Prosecutor did not swear positively that she took the Medal, but she was one that helpt to commit the Felony, all which was very clearly sworn against her, and she was lookt upon as an idle Housewife, so she was found Guilty.

*William Bond* and *John Hoare*, both of the Parish of *St. Mary Mandlin*, *Old Fish-street*, were Indicted for breaking the house of one *John Smith* on the 23d of *September* last. It was evidenced against them by the Prosecutor, that they were taken coming out of the House in the very Act, and the Goods found upon them were one Silver Salt, two pair of Gloves, and a Knife, and a pair of Silver Buckles, a Periwig, and a Silk Hood, and a small parcel more of Goods, amounting all to the value of about 30 s. The Prisoners denied it, and said that they had no concern in the Robbery: But the matter being plainly evinced against them, they were both found Guilty of Felony and Burglary.

*Nicholas Bacon* of the Parish of *St. Ethelburrow* in the Ward of *Bishopsgate*, was Indicted for stealing on the 30th day of *August* last, ten Hats value 5 l. and ten Hatbands 10 s. one Coat 20 s. and some other small Goods of little value, the Goods of a person unknown. The Evidence was chiefly the Watchmen, who deposed that they met the Prisoner and another in the Street in the Night-time, and that they fled away from the Watch; and the Prisoner being taken, the Box of Hats was found in his custody, which were proved to be taken out of a Wagon belonging to *Yarmouth*. The Prisoner said that he was hired to carry the Box into *Southwark* by another Man, but he could not prove it, so that he was found Guilty of the Felony.

*Jonathan Wiggs* was Tryed for marrying one *Letitia Kirkham* at *Dublin* in *Ireland* on the 10th day of *January* in the 35th year of King *Charles* II. and afterwards for marrying one *Thomasin West* in the Kingdom of *England* at *St. James's Duke Place*. The chief Evidence was *Kirkham* and another, who swore that he was married to her in a Chamber in *St. Andrew's* Parish in *Dublin* as aforesaid, and that he was married to *West* in *Dukes Place* in *London*, and that he lived with her in *Shoreditch*. So upon the whole he was found Guilty of the Felony.

*Ann Dye* and *Sarah Hill* were Tryed for Robbing of Mr. *Philips* of *St. Pauls Covent-Garden*, on the 14th of *September* last, of 24 Yards of *Norwich* Stuff, value 42 s. The Evidence was Mr. *Phillips's* Man, who declared that the Prisoners came into the Shop to cheapen some Crape, and whiles his back was turn'd, ran away with the Stuff. The Prisoners denied it, altho' the Stuff was found upon them. They had no Witness to prove their Lives to have been honest, so they were found Guilty to the value of 10 d.

*Sarah*

*Sarah Nash* of St. *Martins in the Fields*, was Tryed for Feloniously taking away from *Nicholas Delaſter* on the firſt of *September* laſt, one Allamode Scarf value 7*s.* one Quilt value 3 *l.* 4*s.* and 6 *d.* The Evidence not being poſitive as to the whole, and ſhe producing perſons as to her honeſt Behaviour, ſhe was acquitted.

*James Williamſon* of St. *James's Weſtminſter*, was Tryed for Stealing on the 23 of *July*, one Silver Watch from one *Bernard Bartlet*, who was the only Evidence againſt him, and declared that he loſt his Watch out of his Chamber, and that the Priſoner produced the Watch to the Proſecutor when he was Apprehended, but the Priſoner denyed that ever he had the Watch, Upon the whole the Jury was ſo well Informed that he was found Guilty to the value of 10 *d.*

*Peter Deane* and *John Syms* of St. *Clement Danes*, were Tryed for Stealing 2 Pewter Plates from Mr. *Daniel Doſell* at the Swan in *Clare-Market*, the Evidence ſwore that they came into the Houſe of the Proſecutor and drank a pint of Wine, and *Deane* was ſeen to take away the Plates, which were found upon ſearch in *Deanes* Britches, which he denyed; and there was no Evidence that affected *Syms*: So he was Acquitted, and *Deane* was found Guilty to the value of 10*d.*

*Agnes Charles* was Indicted for Robbing *Anne Conſtable* on the 14 of *May* of one Bonelace Cornet value 7*s.* another Cornet value 3*s.* an Apron 2*s.* three Lace Coifes value 4*s.* one Smock value 5*s.* 4 Ells of Holland vallue 10*s.* another Smock value 3*s.* The Evidence ſwore that the Lace was found in her Cuſtody, and ſeveral other Goods which was owned by the Proſecutor, and ſhe had no Witneſs to prove her Reputation, and being look't upon to have been an old Offender, ſhe was after a full hearing on both ſides, brought in Guilty to the value of 9*s.*

*Charles Huggins* was Indicted for Perjury, in ſwearing before the Right Honourable the Lord Chief Juſtice of *England*, that he was worth 40 *l. per Annum*, in his perſonal Eſtate at *Newport-Pagnel*, whereas he was not worth ſo much, which he confeſſed upon his ſecond Arraignment and ſaid that he would throw himſelf upon the mercy of the Court; and beſides, there were two Witneſſes that proved it fully upon him, ſo he was found Guilty of Perjury.

## PARTY-JURY.

| | |
|---|---|
| *Jonas Motley* | *Richard King* |
| *Jeremy Gazeat* | *Iſaac Monnicot* |
| *Thomas Mead* | *William Fynch* |
| *David Minnell* | *Charles Levalidy* |
| *John Milgate* | *Abraham Lock* |
| *Claudius Vannier* | *Peter Kaſaron.* |

*James Walnitch* a Frenchman of St. *Anns Weſtminſter*, was Indicted for the Murther of one *John Bailey* on the 22 of *October*, whereupon a party Jury was Sworn as above. It appeared, that he came to a Publick Houſe at *Weſtminſter*, in Company with one *Mathew Chriſtopher* and two other Men, who are not yet taken, and there played at Dice, and *Bailey* being amongſt them, a quarrel aroſe, and the Deceaſed threw a Cup of drink into *Chriſtophers* face; upon which their Swords were drawn and the Deceaſed received a Wound of 6 Inches from the ſaid *Mathew Chriſtopher*, of which he immediately dyed. There was no Evidence that affected the Priſoner, he was Diſcharged.

*On* Wedneſday *Morning, the Firſt Day of the* Seſſions *at the* Old-Bayly, *there was a Special Commiſſion of* Oyer *and* Terminer *produced in Court, and Openly Read, for the Full Information of all Perſons concerned, ſetting forth, That it was Granted by Our Moſt Gracious Soveraign Lord and Lady King* WILLIAM *and Queen* MARY, *by and with the Advice of the Privy Council, &c. That it ſhall and may be Lawful for His Majeſties Judges, and all others Commiſſionated by Him, to Try all manner of Treaſons, Miſdemeanors, and all Capital Offences whatſoever done and committed here in* England, *or in any Part of His Majeſties Dominions Beyond the Seas, &c.*

*Alſo there was a Bill preſented by the King's Majeſties Authority, upon an Act made by this preſent Parliament, bearing Date in* February *laſt for the taking off, and utterly obliterating, cancelling and defacing of the Bill of Attainder for High Treaſon againſt* Henry Cornish *Eſq; who was Tryed in that Court, and Executed for the ſame; upon which it was immedietly cancelled in open Court, and the Indictment delivered to Mr.* Cornish *Son of the Deceaſed* Henry Cornish *Eſq.* &c.

*Upon both theſe Occaſions, the Right Honourable the Lord Chief Juſtice* Pollexfen *made an Excellent and moſt Exquiſite Speech to the Gentlemen of the* Grand Jury, *deſiring them that they would be very careful in all their Preſentments, that all things might be done for the Credit of the Chriſtian Religion, and for the Promotion of Peace and Truth in the Nation: with ſeveral other excellent Expreſſions, much to the ſatisfaction of all perſons, eſpecially to thoſe to whom the Speech was directed.*

*Thomas Noon* of the Pariſh of St. *Anne Weſtminſter*, was Tryed for Felony and Burglary in breaking the Houſe of the Right Honourable *John* Lord *Lovelace*, on the 10th. of *September* laſt, and taking away one Cloth Cloak value 8 *l.* a Frize Coat value 30*s.* another Coat 35*s.* a Caſtor Hat value 14*s.* Upon the Evidence it appeared that the Coach-houſe was broke open about 12 or 1 a Clock in the Night, and the Goods taken away; but he was not taken till about eight days after, with a piece of Lace in his Cuſtody, which he rip't off one of the Coats; which Lace was owned by the Servants of the Lord *Lovelace*, and prov'd by a Gold and Silver Woman to be ſold by the Priſoner to her and another Boy, who was called out of *Newgate* to Witneſs againſt him. Said that the Priſoner met him in St. *Giles's in the Fields* and ſhewed him the Lace, which they ſold to the Woman abovesaid. There was no other Evidence that could prove he took the other Goods out of the Coach-houſe, although he did confeſs it before; yet he was found Guilty of the Felony, but not of Burglary.

*Margaret Maye* was Indicted for that ſhe together with one *Anne Dean* not yet taken, did break the Houſe of one *John Stanton* of St. *James's Clerkenwell*, taking one Gown value 10 *s.* one Amber Necklace value 9 *s.* four Silk Hoods value 20 *s.* one Cornet value 20 *s.* four yards of *Flanders* Lace value 20 *s.* and ſome other Goods all to the value of about 14 *l.* The Evidence was plain againſt her, and altho' ſhe denied the Fact, yet it was proved that ſhe pawned the Goods to Mrs. *Noble* a Broker in *Holborn*. She was found Guilty to the value of 4*s.*

*Margaret Handſcome* of *Weſtminſter* was Tryed for Feloniously taking from *Edward Symons*, on the 24 day of *September* one black lac't Tippet value 5 *s.* one Apron value 2*s.* and 6 *d.* and 18 *l.* 15 *s.* in Guineas: It was Evidenced that the Proſecutor and the Priſoner were Inmates together. And on the 24 of *September* as aforeſaid the Proſecutor miſſing the Goods and Money: upon ſearch ſome of the Guineas were found upon her ſcattered about a ſhelf in a Cloſet, and ſome drope out of her boſom. They could give but a lame Account how they came by the Guinea's, nor of their Lives and Converſation, and it ſeeming to proceed ſomewhat from Malice, ſhe was diſcharged.

*Henry Moſs* of St *James's Weſtminſter* was Tryed for Stealing a Silver Cup value 27 *s.* on the 30th of *Auguſt* from *John Lord*, the Evidence ſwore that the Priſoner and another perſon (one *Reynolds* not yet taken) came to the Proſecutors Houſe and drank in the Cup; and after they were gone the Cup was miſſing, but no one ſaw the Priſoner take the Cup, ſo upon the whole he was Acquitted.

*William Delacore* was Indicted for breaking the Houſe of Capt. *John Lane* in *Red-Lyon Court* in *Watling-ſtreet*, on the 28th of *September* laſt, and taking away two Silver Watches value 6 *l.* one Silver-hilted Sword 40 *s.* two Rings 10 *s.* one Silk Petticoat 10 *l.* one cloth Coat with Silver Buttons 10 *l.* one piece of coined Silver 20 *s.* with other Goods of a conſiderable value, amounting near to 400 *l.* The Evidence ſwore, that on a Sunday, being the day abovementioned, the Family being at Church, the Priſoner was ſeen to come out at door, and to lock it in company with another man, with things in their cuſtody; and after he was taken, part of the Goods were found about him, *viz.* a Sword, and the Rings, *&c.* and the reſt were found in his Lodgings in *Southwark*. He denied the Indictment, and ſaid that the Goods were given him by another Man to keep, but could not prove it. The Fact was indeed very fully proved up-

upon him, altho' he ſaid he was never in the Houſe: Yet, after a diſtinct Hearing, he was found Guilty of Felony and Burglary.

*Solomon Ball* was Indicted for a Miſdemeanor, in uttering Falſe and Counterfeit Money, which he did at a Shoemaker's Shop where he went to buy Shoes, and was there diſcovered to be Falſe. And it was further evidenced, that he had Half-Crowns and Shillings, ſome of which were produced in Court, and appear'd to be ſo: And that he took a great handful of Money, and threw it amongſt the Croud when he was taken before the Juſtice, which was all naught, and conjectured to have been caſt in a Mold. The Priſoner ſaid that he found the Money in *St. George's Fields*, but could not prove it, and was not able to give any good account of himſelf: So he was found Guilty of a Miſdemeanor.

*Francis Lichfield* was Arraigned upon two ſeveral Indictments, for ſtealing on the 22d of *Auguſt* one Red Cow value 6 l. another Cow from one *Richard Barley* of *Stepney*, to both which he pleaded Guilty, and to all other within the benefit of his Clergy.

*Walter Hunt* of *Stepney*, Tryed for ſtealing from *William Biggs* on the 5th of *September* two pair of Sheets value 10 s. two Shifts 5 s. a Gown 5 s. a pair of Stockings 2 s. 6 d. a Table Cloth 2 s. The Evidence was Mrs. *Biggs*, and another, who ſaid that the Table Cloth, and ſome other things were found upon a Line in *Hunt's* Houſe, which he denied, and ſaid that they were given him by one *George Wood*, but could not prove it, and had no Witneſs on his ſide. He was found Guilty to the value of 10 d.

*Elizabeth Dunſtone* was Indicted for ſtealing a Silver Cup value 6 l. from one *John Shaw* on the 23d of *September*. *Shaw* depoſed that he loſt his Cup out of a Room where the Priſoner came, and he apprehending of her, ſhe confeſt to have ſtole the Cup, and that ſhe had ſold it to a Goldſmith in *Holbourn* for 30 s. (to wit) to one Mrs. *Huggins*, who ſaid that ſhe had had former dealings with her, but did not buy the Cup of her. Tho' the Priſoner denied it upon her Tryal, ſhe was found Guilty of Felony.

*William Higgs* of the Parish of *Chiſwick* in the County of *Middleſex* Gent. was Tryed for the Murther of one *Chriſtopher Reinhart Mentz*, on the 24th of *September*, giving him a mortal Wound near to the right Pap of the depth of two Inches, with a Rapier value 2 s. 6 d. of which Wound the ſaid *Chriſtopher Reinhart Mentz* inſtantly died. The Evidence declared, that the Deceaſed (who was a *Dutch* Lieutenant) gave the Priſoner a Box on the Ear, after which he gave him another Blow on the Shoulder with his Sword. Afterwards they drew their Swords, and paſt at each other, Mr. *Higgs* falling down firſt, the *Dutchman* preſently after, and died. It did not appear that there was any former Quarrel or old Grudge betwixt them, and what the Priſoner did was to defend himſelf; likewiſe that he never ſaw the Deceaſed before in all his Life-time. So there being no premeditated Malice proved, he was Found *Se Defendendo*.

*Thomas Kelſey* of *St. Paul's Covent-Garden*, was Tried for breaking open the Houſe of one *Samuel Weſt*, with an intention to ſteal his Goods, on the 20th of *September* laſt, in *Charles-ſtreet*. The Proſecutor ſwore, that coming home about Nine a Clock at Night, he found the Sash-window open, and the Priſoner came to open the Door to let in ſome others, and finding it not to be his Comrade, but himſelf, he threw a dark Lanthorn in his Face; but ſtopping him, he got the dark Lanthorn away, and an old Periwig, which was ſhewn to the Court, and worn by the Priſoner when taken. Being known in Court to be an old Offender, he was Found Guilty of Felony and Burglary.

*James Tipriell* of *Stepney* was Tried for Robbing one *John Merry* of the 14th of *September*, of a Hat value 40 s. Mr. *Merry* evidenced, that as he was going along *Cut-throat-lane*, the Priſoner and ſome others met him, and ſnatcht off his Hat from his Head; he making a noiſe, they threatned to kill him: But he could not ſay that he took the Hat, ſo he was acquitted.

He was a 2d time Indicted, together with one *James Chivery*, for Robbing *Richard Draniſeild* Gent. in the King's Highway, of a Sword value 20 s. a Caſe embroidered with Gold and Silver 20 s. a Beaver Hat 40 s. a piece of Silver 10 s. and 5 l. 3 s. 6 d in money, on the ſame Night that the aboveſaid Mr. *Merry* was Robbed of his Hat. The Evidence ſwore ſtrictly againſt *Tivedell*, and *Chivery's* Sword was produced, and put into the Lord *Lucas's* hands. The Robbery was ſworn to be done in *Hangman's Acre* near *Stepney*, and one of them whiſtled for the reſt, and then ſet upon the Proſecutors, and rifled them of the aforeſaid Goods. They both denied all that was ſworn againſt them, yet were found Guilty of the Felony and Robbery.

*Margaret Burchey* was Indicted for ſtealing 4 Diaper Napkins value 2 s. one pair of Sleeves 12 d. from *William Woollaſton*, on the 4th of *March* laſt. But the Evidence could not prove it upon her, ſo She was acquitted.

*Mary Gardner* was Tryed for ſtealing three Violins value 20 s. on the 26th of *September*, from *Ann Hylliard* of *St. Giles in the Fields*. The Evidence declared in general, that the Priſoner was ſeen to go out of the Proſecutor's Shop with the Fiddles in her Apron, and found behind the next Neighbours door with them. She denied it ſtiffly; having no Evidence on her ſide, and the matter being plain, She was found Guilty to the value of 10 d.

*John Barrett* was Tryed for ſtealing 22 yards of Cloth value 8 l. the Goods of *Richard Tarpen*. The Evidence declared that the Cloth was taken off the Racks near *Moorfields*: But no one could ſwear that he took it away, ſo he was acquitted.

*A——B——* Was Arraigned for ſtealing a Gelding value 6 l. the Goods of a perſon unknown: But the chief Evidence being out of the way, he was order'd to give in Bail to appear next Seſſions, which he did accordingly.

*James Wignal* of *Hampſtead* was Indicted for the Murder of *John Smith* on the 2d of *September*, with a Bayonet value 12 d. giving him one mortal Wound near to the ſhort Ribs of the depth of two Inches, of which he immediately died. It was given in Evidence that the Priſoner, and the Deceaſed, with others, were at *Hampſtead* at Dinner, and all very good Friends. But going out into the Fields to Hunting, Mr. *Wignal* reflected upon *Smith*, and ſaid that he had borrowed Money of him, which he did not pay him, yet could pull out his Guinea (or to that purpoſe.) Upon which, as they were going along, they fell to Fighting, and in the Scuffle *Smith* was mortally wounded, and falling down, ſaid, *I believe you have killed me*: Upon which he immediately died. One Evidence depoſed that they had both Bayoners, but another ſaid that Mr. *Wignal* only had one. They Fought at firſt with their Sticks, throwing one another to the Ground, Mr. *Wignal* being undermoſt. The Priſoner ſaid that he had no malice againſt him, but loved him as his own Brother; and none being proved by the Evidence, but a ſudden heat of Paſſion, he was found Guilty of Manſlaughter only.

*Charles Brooks* was Tryed for breaking open the Houſe of *William Barringer* in *St. Martins in the Fields*, and bearing thence three Silver Watches value 3 l. 10 s. 40 Kings 15 l. ſome Silver Spoons 3 l. a Box 10 s. and other Goods, beſides 40 l. in Money, all to the value of about 100 l. The Evidence ſwore in the general, that the Houſe was broke open, and that the Priſoner had ſold one of the Watches to one *Neagle*, which he confeſt before the Juſtice, yet denied it upon his Tryal. And being known to be an old Offender, and a great Criminal heretofore, the Jury being very well ſatisfied with the Evidence, he was brought in Guilty of Felony and Burglary.

*Thomas Togood* and *Charles Malin* were Tryed for the Murther of one *John Doane*, *Togood* thruſting an Oken Stick into the Left Eye of the ſaid *Doane* of the depth of two Inches on the 21ſt of *July*, of which he died the 22d Inſtant in the Pariſh of *Trinity Minories*. The Evidence were not poſitive that the Priſoners were the perſons that killed the ſaid *Doane*, neither would they ſwear that they knew them, and the chief Evidences were out of the way. So they were both acquitted.

*Francis Hyllar* of *St. James's Weſtminſter*, was Tryed for breaking open the Houſe of *Thomas Tickle*, on the 20th of *February* laſt, ſtealing 20 yards of Bone-lace, value 10 s. 50 pair of Gloves, and other Goods: But no Evidence appeared againſt him that were material, and he neglected to appear, being out upon Bail, the Court ordered that he ſhould continue till next Seſſions, *&c.*

Sarah

Sarah Burrows, alias Hill and Ann Dye, alias Thomas, alias Whitwood, were a second time Indicted for stealing 32 Yards of Muslin out of the Shop of one Robert Bampton in the Strand, on the 20th of June last. They came into the Shop to cheapen Goods with 4 or 5 more Women, and took away the Muslin, which was found on Sarah Burrows upon the pursuit of them, besides other Goods, which they denied upon their Tryal: But being known to be base Shoplifters, they were found Guilty of Felony.

William Rowston was Indicted for stealing one Hog and a Sow, about a year ago from one Richard Rogers. The Evidence not proving it, he was acquitted.

Agnes Charles was a second time Indicted for Robbing Bryan Reeves Gent. of 4 Silver Spoons value 26 s. and other Goods, &c. She not much denying the Fact, was found Guilty to the value of 4 s.

William Middleton, a Scotchman, was Tryed for stealing a pair of Boots value 40 s. from Thomas Gibbons on the 7th Instant. The Evidence not being positive, he was acquitted.

Katharine Smith was Tryed for stealing a pair of Sheets value 20 s. from Jane Merry, who deposed that the Prisoner was her Servant, and so had opportunity to take them away. The Servant procuring several persons upon the account of her good Behaviour, the Court lookt upon it to proceed from Malice, so she was acquitted.

Thomas Knox was a second time Indicted, for stealing on the 10th of September one Couch-Seat of Flowr'd crimson Velvet value 50 s. a Cambier Cloak 30 s. from Alexander Cumiel Esquire, a cloth Coat 15 s from Richard Smith, who deposed, That the Couch-house was broke open, and the Cloak found at one Boyce's a Brokers in Long-Acre. The Prisoner said he had the Cloak and some other Goods from one Johnson, who desired him to sell the Cloak for him, which he did for 4 s. At last he was found Guilty of Felony.

The Court being pleased to Adjourn till Wednesday the 16th of October, the Proceedings were as follow.

John Nevill of St. Giles's in the Fields, was tryed for stealing two Couch Seats on the 27th of August last, value 3 l. the Goods of the Right Honourable Edward Earl of Lincoln. The Evidence not being clear, he was acquitted.

John Barrett was Tryed for stealing 22 yards of Cloth value 8 l. the Goods of Richard Tarpen. The Evidence declared that the Cloth was taken off the Racks near Moorfields, he being seen to do it, was found Guilty.

Richard Smith was Tryed for stealing 6 l. from Hugh Gibbons. The Prosecutor swore that the Prisoner had confest the taking of the Money from him, but he denied it: notwithstanding he was found Guilty.

Francis Byller appeared according to the Order of the Court, for Robbing Mr. Pickle, &c. No Evidence coming against him, he was immediately discharged.

One Elephant an Officer at the White Horse in Fetter-lane, was accused to have sold Oats in a False Measure, who gave in Bail to appear next Sessions.

One Trader a Cook was likewise accused for selling stinking Pyes, for which he was Fin'd 20 Nobles.

One Elizabeth Boyce Widow, living in Long-Acre, was accused for buying Stolen Goods, and gave in Bail to appear next Sessions.

William Dendle, a Reputed Mass-Priest, was called, and demanded to answer directly or indirectly, Whether he were so or no, according to the Act made in the 35th year of Q. Elizabeth which he refusing, was remanded to Newgate.

Thomas Caveley was Indicted for stealing a Holland Table-Cloth, and several other Goods from Henry Smith, to which Indictment he pleaded Guilty.

Francis West a Papist (who belonged to the Popish Schools that were formerly held in the Savoy) was accused of an High Misdemeanor for writing and publishing a Scandalous Libel, Intituled, Elementa Politica: Or, The Grounds of Government opened, &c. Being ask'd what he could say for himself, answer'd, That he was Guilty of carrying it to the Press, but did not know what was intended by the Paper. The Court told him that he had given great Offence to the Government by it, in saying, That the Great Magna Charta Law of England was a Nullity, and of no Force, &c. To which he reply'd, That it was written in answer to another Book, and that it was no ways designed as an Offence to the Government, and that he did not look upon it to be any Treason. The Court told him he had confest it, whereupon he was found Guilty, his Sentence being, that he should stand three times in the Pillory, viz. at Temple-Bar, the Royal Exchange, and at the Two Swans without Bishopsgate.

A Bill of Indictment was presented by the Grand Inquest against Alexander Macdonnel, and others, for spreading the Late King James's Declaration, who were Released upon Bail, and ordered to appear the next Sessions.

Several other persons were likewise called over for writing false News and Libels; of whom some were discharged, and others gave Bail for their Appearance.

William Delacore, who was Convicted upon another Indictment for Felony, was this day a 2d time Indicted for Robbing one William Hayward of Ipswich Goldsmith, on the 8th Instant, of a considerable quantity of Plate, Watches, Rings, &c. to the value of about 300 l. which the Prisoner did not deny, &c.

The Tryals being over, the Court gave Judgment as follows:

*Burnt in the Hand Ten.*

Abel Dodson, Nicholas Bacon, Jonath. Wights, Thomas Noon, Francis Leichfield, James Wignall, John Barret, Agnes Charles, Margaret Maye, *and* Thomas Caveley.

*Received Sentence of Death Ten.*

Elizabeth Browne, William Bond, John Hoane, William Delacore, Thomas Kelsey, James Tivedel, James Chivery, Charles Brooks, Sarah Burrows, *alias* Hill, *and* Ann Dye, *alias* Thomas, *alias* Whitwood.

*Elizabeth Browne, Sarah Burrows*, and *Ann Dye* pleading their Bellies, a Jury of Matrons were call'd, who affirm'd they were quick with Child.

*Solomon Ball* was Fin'd 100 Marks, and to find Sureties for his good Behaviour a Twelvemonth.

*James Williamson, Peter Dean, Walter Hunt*, and *Mary Gardner*, were ordered to be whipt from *Newgate* to *Hicks's-Hall*.

The next ensuing Sessions was Order'd to begin at *Guildhall* on *Monday* the 9th day of *December*, and on *Wednesday* following at the *Old Baily*.

*God Save King* WILLIAM *and Queen* MARY.

*THO: PILKINGTON* Mayor.

*Licens'd*, Octob. 17. 1689.

## Advertisements.

☞ *These are to give Notice to all Persons, for the Benefit of the Publick, That Mr.* Elmy *Professor of Physick, and Operator, of known Integrity, and about* 25 *Years Practise, Dwells at the* Blue Ball *in* Whale-Bone-Court, *at the Lower End of* Bartholomew-lane *by the* Royal Exchange, *who most Safely and expeditiously Cures* Deafness *and* Noise *in the Ears in any of what Age soever, (if Curable) and at First Sight, by Inspection, Resolves the Patient if so or not, as most Eminent Persons of Quality in this City can Testifie. He hath likewise a most excellent Gargarism or Mouth water, will make black or yellow Teeth as white as Ivory.*

☞ *In* Plow-Yard *in* Grays-in Lane, *lives Dr.* Thomas Kuleus, *who with a Drink and Pill, Cures Ulcers, Scabs, Scurfs in the Face, or elsewhere: Kings-Evil, Leprosie, and Venereal Disease, expelling Nothing of the Cure out. Of the last, he hath Cured above* 500 *persons, many after Fluxing. The Drink is* 3 s. *the Quart, the Pill* 1 s. *the Box, which is two Purges. They excel all Purges, Curing many Diseases, especially the Gout and Stone. In all Diseases he gives his Opinion for nothing, and his Medicines for little.*

*London*, Printed for *Langley Curtiss* at Sir *Edmondbury Godfrey's Head* near *Fleet-bridge*. 1689.

# An ACCOUNT of the EXAMINATION OF Capt. Holland, Before a Committee of Lords,

## Upon the Murther of the EARL of *ESSEX*.

AS *amongst the many Deeds of Darkneſs, which Providence in its Good Time will bring to Light, None can be Blacker, or more Hideous, than the Murder of this Noble and Innocent Lord; So nothing can be of Greater, and more Univerſal Satisfaction (though of no leſs Horror too) than the Detection of that Bloody Aſſaſſination; in which, upon the Apprehenſion of Capt.* Holland, *the Zealous and Honorable Inquiſitors, into that crying Blood, are now drawing to a Diſcovery. An Account of whoſe Examination, take as follows.*

About Three in the Afternoon, on *Wedneſday*, he was carried in a Coach, attended and guarded by ſeveral of Major *Richardſon*'s Men (himſelf and Mr. *Clark*, one of the Keepers of *Newgate*, going in the Coach with him) to *Bedford* Houſe in the *Strand*; where the Committee of Lords then ſate. It was obſerved that he was ſo ſtrangely Melancholy and Dejected (and indeed has been ſo all along in his Confinement) that he changed not one word with his Keeper, in the whole way going or coming. Before his Admiſſion to the Lords, he was carried to the *Fountain* Tavern in the *Strand*, where he Drank off part of a Pint of Sack; from thence, when called for, he was Conducted to *Bedford* Houſe, and twice called in and Examined; where appeared againſt him Mr. *Bradon*, *John Salisbury* a Souldier, a Maid Servant of *Holms*, another Perſon now in *Newgate* likewiſe, on the Account of the Earl of *Eſſex*'s Murder. At his Appearance before the Lords, he complain'd he was Indiſpoſed; and being askt, by the Earl of *Bedford*, if he would have a Cordial, he replied, he was only a Cold, and was therefore ordered to have his Cloak put on; and had a Bottle of Sack call'd for him. His whole Ayre and Behaviour is infinitely changed, from that Gayety and Jollity he appeared with, under his former Condemnation in *Newgate*, for the Robbing of Dr. *Gattaker*; where, at the very minute of receiving his Sentance, he was obſerved to deport himſelf with that little face of Concern, as if Death had been the leaſt part of his Apprehenſion. And tho his unfortunate Comrade *Davis* was Hanged for the ſame Fact, ſuch a ſhowre of Money and Court Bounty, pouer'd down upon the Favourite *Holland*, that, beſides his Pardon, ſcarce any Priſoner in many Ages before (at leaſt, that had ſo little pretenſions to Fortune or Eſtate, to ſupport ſuch extravagant Expences) was ever known to ſpend ſo high as he; Such a conſtant Affluence of *Guineas* dayly flowing in from the Lord *Sunderland*, and openly Acknowledged to come from that Honourable Hand; (for what Publick or Private Merit Time will ſhow) that he half fed the Jayl; and all Caps and Knees, were ſo much at his Devotion, that nothing ſo Honoured either at the Grate, or the Cellar-Bar, as the Noble Captain *Holland*: And all this, from the extraordinary Largeſſes of a Generous Jayl-Bird Patron, the then Secretary of State.

*London* Printed by R. *Heyburſt*, 1689.

H 48
5 Vict. L. 2.
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THE

# PROCEEDINGS

ON THE

# King and Queens Commissions

OF THE

## *Peace*, and *Oyer* and *Terminer*, and *Gaol Delivery* of *Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex*, at *Justice-Hall* in the *OLD-BAILY*.

On *Wednesday*, being the 30*th* of *April*. And on *Thursday*, and *Friday*, being the first and second of *May*. 1690. *And in the Second Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, *Oyer* and *Terminer*, and Gaol-Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Wednesday*, being the 30*th* of *April*. And on *Thursday*, and *Friday*, being the First and Second Days of *May*, 1690. Before the Right Honourable Sir *Thomas Pilkington* Kt. Lord Mayor of the City of *London*, and Mr. Recorder, with several others of Their Majesties Justices for the City of *London*, and County of *Middlesex*.

*The Jurors were as follow:*

| London Jury, | Middlesex Jury, |
|---|---|
| *William Long* | *Jasper Hodgden* |
| *John Reynolds* | *Thomas Martyn* |
| *Peter Ayers* | *Randol Nichol* jun. |
| *Henry White* | *Daniel Marsh* |
| *John Lycence* | *Peter Redknapp* |
| *Joseph Howe* | *Edward Reeves* |
| *Thomas Foxley* | *Michael Shepherd* |
| *Thomas Chard* | *Edward Nichols* |
| *Robert Hazlewood* | *Richard Seymour* |
| *Thomas Symson* | *John Nichols* |
| *Richard Cary* | *John Read* |
| *Daniel Axton.* | *John Burt.* |

*The Proceedings were these:*

*William Mann* was Tryed for stealing a Bay Gelding price 20 l. from one *Thomas Lane* out of *Berkshire* on the 25th of *April*. The Witness swore that the Horse was found in the Prisoner's custody in *Smithfield*, which the Prosecutor owned to be his. The Prisoner could not produce any Evidence to prove that he came honestly by the Horse, only produc'd a Felonious person, that was no stranger to *Newgate*, who went under the Notion of his Man, he declared that the Prisoner bought the Horse upon the Road beyond *Uxbridge*. The Prisoner being found in several faultering Stories, he was found Guilty.

*Thomas Hayes* and *William Kirk* were both Indicted for stealing 6 yards and 3 quarters of striped Velvet value 3 l. the Goods of Mr. *Thomas Tully*, and others, &c. The Witness swore that one came into a Shop to offer the Goods to Sale, and that he had the Silk of *Hayes*, *Hayes* said he had it of *Kirk*, which *Kirk* did not deny; and said that he fetcht the Silk out of Pawn in *Maypole Alley* in the *Strand*, and called one or two persons on his behalf, who declared that he had behaved himself civilly formerly. The Evidence being but Circumstancial against them, they were both acquitted.

*Ann Holland*, alias *Williams*, was Indicted for stealing on the 10th of *February* last, at *Allhallows in the Wall*, 3 Silver Spoons value 27 s. and one gold Coral, from Sir *William Appleton*: And a Silver Tumblet value 3 l. one Silver Poringer 40 s. one Amber Necklace 12 s. one gold Ring set with an Emerauld, &c. the Goods of Esquire *Vaughan*. The Evidence declared, that the Goods were taken out of the House in the Night-time, by two Men who were seen in the Room, and afterwards the said Goods were found in the Prisoner's Chamber lockt up in a Trunk, which the Prosecutors owned to be theirs, &c. which she had altered the marks of. The Prisoner denied all saying, that the Trunk was her Husbands, one *Ambrose Holland*, and she knew not what was in it. Calling for some Evidence on her behalf, she proved her Marriage to the said *Holland* before the Robbery was committed, upon which, the Law favouring of her on that account, she was discharged of the Felony.

*Laurence Money*, a black Boy, was Tryed for stealing a Leading Staff, having a Silver Head on it weighing 19 Ounces, value 4 l. 15 s. on the 16th of *March* last, from the Honourable Company of Haberdashers, *London*, out of their Hall: which the Boy did confess to have taken away, by breaking open the Door with a pair of Tongs: But he denied it upon his Tryal. It was further evidenced, that part of the Head was found in his Pocket, which was proved very plain. But the Company having the Head again, he was found Guilty but to the value of 10 d.

*E* —— J—— was Tryed for stealing Six Silver Forks value 3 l. two Silver Salts, 25 s. four Silver Spoons, 40 s. on the 16th of *April*. The Prosecutor was one *Falconer*, who declared that the Prisoner acknowledged to have pawned the Goods to one *Reeves* in *Ratcliff*, a Broker, for 3 l. 15 s. and that she did take them away, being tempted and constrained by Poverty, which she denyed at the Tryal, yet that did not avail her, but she was found guilty to the value of 9 s.

*Edward White* and *Matthew Bereman* Carman, were Tryed for stealing on the 25th of *January* last, out of the Parish of *St. Martin Vintrey*, two Cyder-Presses lin'd with Lead, value 30 l. two Screws 25 s. a Cyder-Mill, and some Iron-Bars, and other Utensils fitting for Cyder-making, of a good value, the Goods of *Anne Sherman* Widow. The Evidence deposed, that the Prisoner *White* did send such Goods from his House near the Three *Cranes* in *Thames street*, by some Porters, very early in the Morning on a *Friday* in *January* last, to the *George* in *St. Mary Axe*, &c. Mr. *White* declared that he Seis'd the Goods for Rent that the Prosecutor owed him, and it seemed to be a Malicious Prosecution, for that the Prosecutor and Mr. *White* had disagreed before in their Accounts. Besides, *Watkins* the Prosecutor had acknowledged before Credible Persons, that he owed Mr. *White* some Money. Mr. *White* called very Credible Evidence to prove his Reputation, so the Jury not believing that Mr. *White* did it out of any Evil Intention, and *Bereman* being not positively accused, they were both acquitted.

*William Babbington* of *St. Martins in the Fields*, the Elder, Gent. was Tryed, for that he, together with *Josiah Babbington* his Son, not yet taken, did Kill and Murther one *Francis Cotter* Gent. on the 15th of *March*, giving him a Mortal Wound with a Rapier value 5 s. of the depth of Ten Inches near to his Right Pap. Upon the Evidence it was demonstrated, that Mr. *Babbington* and his Son were a drinking at the *King's-Head* in *Pater's-street*, where the deceased *Cotter* came into the Room about 11 or 12 a Clock at Night, where sat Mr. *Babbington* and his Son, and the Woman of the House, and *Cotter* making a Compliment upon her, by giving her a Kiss, the other were much offended at it, and *Cotter* and young *Babbington* went into the Street, after which a further Quarrel arose, and immediately *Cotter* was killed, and young *Babbington* gone away. The Prisoner declared that he and his Son were there, and that *Cotter* was killed in the Fray, but he did not know who killed him,

and did what he could to part them: only that which affected the Prisoner most of all, was his endeavouring to procure his Sons Escape, by disarming of *Cotter*, and interrupting his being Secur'd, so the Jury Well weighing the whole matter, and the Prisoner had no Sword drawn, at last he was Acquitted.

*John Williams*, *William Column*, *Jacob Jakeman*, *Thomas Cox*, *James Chambers*, *Jonas Ratcliffe*, *Daniel White*, *Charles Wells*, and *Thomas Dod*, of *St. Mary le Bone*, were Indicted, for that they Nine together, with *Richard Bourn*, *Nathaniel White*, *Thomas Bournes*, *Thomas Bragget*, *Peter Relph*, *Edward Roberts*, *Richard Cant*, and *James Kirby*, not yet taken, did break the House of one *Thomas Baker* of *St Mary le Bone* aforesaid, on the 28th of *February* last, taking away one Silver Tankard value 12 l. two Candlesticks 15 l. a Silver Salver 12 l. a Cup 9 l. a Silver Pot 16 l. another Cup 7 l. another Salt 9 l. a Silver Poringer 3 l. a Bowl 5 l. a Ladle 50 s. a Silver Bowl gilt 3 l. another Silver Plate 3 l. two Tumblers 5 l. 27 Spoons 7 l. a Watch 6 l. a Hat, 3 yards of gold Twist, 4 Holland Shifts, 13 Muslin Neckcloths, 3 Silk Scarfs, two Pistols, a Silk Night Royle, 16 pieces of Gold, value 20 l. 2 other pieces of Gold, and 5 Guinea's: Also 5 pieces of Spanish Pistols, value 7 l. 17 s. 6 d. with several other Goods of very considerable value from *Thomas Baker* aboveſaid.

Two lac'd Bands value 8 s. a leather Purse 1 d. a Ring 10 s. an Handkerchief 5 s. an Apron 30 s. and 33 s. in money: 2 Thimbles 18 d. 4 lac'd Pinners 40 s. 3 Holland Handkerchiefs, and divers other Goods, from one *Mary Garret*, and one *Mary Preston*, &c.

The Evidence in the general deposed, that about 15 or 16 of them came to *Baker*'s House about 8 of the clock at night, and first went into the Stable, and bound the Hynds as they were racking up their Horses. Afterwards about a dozen of them went into the Kitchin, forcing their way against all the Bolts and Locks, making the very Iron Bolts and Wooden Doors to yield to their wicked and bloody Designs. Then they went up to *Baker*'s Chamber, and bound him and his Wife in their Beds, gagging not only them, but the whole Family. After which they began their Pranks, Rifling the House, and taking away all the Goods abovementioned. Some time after *Williams* and *Column* were taken with several of the Goods, charged in the Indictment, about them; and the rest were persued, by the Hue and Cry of the Country People, at *Anny-seed Cleer* in *Jakeman*'s House. The Evidence swore that *Williams*, *Column*, and *Chambers* were there, and likewise *Ratcliffe*, but nothing was found about him, yet they were all Four found guilty of Felony and Burglary. There was no Evidence produced for the King that could positively charge the other Five, so they were all Acquitted: But not without great Notice taken of them by the Court, for their so base and villainous Attempt against so many innocent persons. There was one *Rothery*, now a Prisoner in *Newgate*, who witnessed against them that he knew of all the Plot and Intrigue made by them to Rob Mr. *Baker*'s House, for that he was one of their Gang, being there when the Fact was done, but had since repented, and was resolved to declare all, in hopes thereby to attain Favour, &c. He said that they parted Snacks at *Jakeman*'s House at *Anny-seed Cleer*, but *Thomas Cox* was not at the committing of the Robbery, yet made his Bargain to have a share, or to come in for a Snack, if the rest compassed their devilish Intentions. Upon the proof of this, (notwithstanding his being before Acquitted, as beforementioned) the Court ordered a new Indictment of Felony to be drawn up against him, upon which Indictment he was afterwards Tryed, as you may see hereafter.

*Judith Foster*, alias *Emes*, Indicted for stealing on the 14th of *March*, two strip'd Mantua Gowns value 4 l. a strip'd Silk Gown value 3 l. a Petticoat 40 s. the Goods of *Mary Rawlins*, who declared that she lost her Cloaths out of her Lodging, and found some of them, (*viz.*) the Gown hanging up in her Shop, she being a Broker, which the Prisoner said she bought of an End of Gold and Silver Man in the street. Several Witnesses being call'd, gave a good account of her Life and Conversation, whereupon she was Acquitted.

*Peter Dun*, and *Diana Dun* his Wife, were both Indicted for stealing, on the 16th of *January*, four Feather-Beds, value 15 l. 7 pair of Flaxen Sheets 40 s. 4 Pewter Dishes 10 s. 2 Pewter Plates 6 s. 2 Chamber-Pots, with some Gold, and other Goods and Monies, all to the value of about 80 l. The Goods of one *John Bosvell*. The Evidence said, that the Prisoners both were heard to confess that they took the Goods away, whilst *Bosvell* was beyond Sea, and his Wife Dying here at *London*, which Goods they took away on the *Tuesday* Night after *Bosvell*'s Wife was Buried, Pretending a lawful Right to them, &c. because she deceased was their Daughter. Upon the whole the matter was look'd upon to be well meaning in the Prisoners and that they had no design of Felony in the whole series of it, so they were both Acquitted.

*Thomas Holmes* was Tryed for stealing a Silver Tankard value 9 l. 20 s. 2 Salts 10 l. 2 Silver Spoons 14 s. and divers other Goods, from *Edward Mullinax*, on the first of *December* last. It was Witnessed, that the Prisoner came to *Mullinax*'s House with a pretended Wife, and took a Lodging, [illegible] they [illegible] seen three times while they took away the Goods, which were some of them found upon them a little after, and they came not into their Lodging the same Night the Prosecutor was Robbed. The Prisoner could say little for himself, so he was found guilty of Felony.

*John Bentley* and *David Key* of *Islington* were both Tryed for stealing 2 Weather Sheep value 3 l. on the 19th of *April*, the Goods of *Ben. Hankin*, but the Indictment was laid in a wrong Name, so they were discharged of that, but another was ordered to be preferred against them, upon which they were Tryed, as hereafter you may find.

*William Wright*, and *Mary* his Wife, were both Tryed for stealing, on the 19th of *March* from *Robert Barrot* one Guinea, and a Laudore piece, and 3 l. 6 s. in Money, all which Money was found about him, (*viz.*) the Silver in his Pocket, and the Guinea in the Roll of his Breeches Knee, all which the Prisoner denyed, and used several Extenuations but had no Evidence on his side. He had also Pick Locks about him, which tended much to his Discredit, so he was found Guilty, but she was Acquitted.

*Anne Smith* and *Elinor Smith* were Indicted, for that they, together with one *Susanna Lawrence* not taken, did steal on the 12th of *April* from *Thomas Dagan* two Flaxen Aprons, and some other Goods, but the Evidence did not affect the Prisoners, so they were immediately acquitted.

*Francis Freeman* was Tryed for stealing on the first of *March*, from *William Salt* Feloniously and Burglariously, one piece of Black Lead, value 1 d. a Wooden Box 1 d. and 6 s. in Money. The Witness said, that some Money was found about him, (*viz.*) some Farthings, and some small pieces of Money, and a piece of Lead, which the Wife of *Salt* owned to be hers. The Prisoner said, that he had Black Lead about him as he used to Mark Casks withal, (being a Cooper by Trade,) so upon the whole he was Acquitted.

*William Trippet* was Tryed for stealing some Goods from *Michael Lambert*, on the 12th of *March* last, (*viz.*) a Silver Cup, and a pair of Breeches, &c. but no Evidence appearing, he was immediately Acquitted.

*Rachel Cox* was Arraigned for stealing two Bags value 2 d. and 65 l. in Money, which she immediately confest upon her Arraignment.

*Philip Williams* was Arraigned upon three Indictments for Felony, the first and second for two Silver Tankards, the third for a Cold Necklace. To all which he pleaded Guilty within the benefit of his Clergy.

*Anne Bunyan* Wife of *William Bunyan*, alias *Rider*, was Tryed for the wilful Bearing of *Elizabeth Townsend* Spinster, on the 10th Day of *August*, in the 18th of Year of our late Sovereign Lord King *Charles* the Second (of Blessed Memory.) It was Evidenced against her, that a Quarrel arose between the Prisoner and the Deceased in St. *Stephen*'s Parish *Coleman-street*, and some Blows happned, and the Prisoner was seen to Beat *Townsend*'s Head against a Leaden Cistern till the Blood gushed out, &c. The Prosecution savoured of an express Malice, so in the end she was Acquitted.

*Elizabeth Resdale* was Tryed for stealing 3 Handkerchiefs value 12 d. one Silver Salt 3 s. and 5 l. in Money, the Goods of *Samuel Hayet*. The Evidence swore, that the Prisoner owned to have taken the Goods, for that they were found about her, and 47 s. 9 d. of the Money. She did not much deny it, so she was found Guilty.

*James Gavel* alias *Gardiner*, and *James Barrow*, were both Indicted for Feloniously taking from *Richard Robinson* Gentleman, a Silver Hilted Sword value 50 s. on the 24th of *April* last, the Evidence was plain, that they were seen to jump out at the Window of *Mr. Robinson* in *Red-Lyon Square* with the Sword in *Gavel*'s Hands, which he threw upon the ground in his flight, the Window being open, they were not accused of Burglary, but they were both found Guilty of Felony.

*Philip Maqueer* and *George Crawford*, two Notorious Highway-Men, were Indicted for Robbing one Mr. *Sutton* on the King's High-way of a Watch value 7 l. a Sword 20 s. a Rix-Dollar 24 s. 6 d. and a Gelding Coloured Gray. Mr. *Sutton* said, that they met him on the Road and stopt him, holding a Pistol to his Breast, and took away his Goods, on the 12th of *February* last. They endeavoured to prove, that they were in another place when the Robbery was committed, but could not, so they were both found Guilty of the Robbery.

*Philip Maqueer* was a second time Indicted, for Robbing one *John Hanley* in the Highway of a Horse value 10 l. a pair of Pistols 20 s. a Cane 15 s. a Bridle and Saddle, with some Silver. The Robbery was done about *Finchley Common*, where 3 or 4 persons stopt him on the Highway, yet the Witness did not positively swear against the Prisoner, but declar'd that Pistol was found in his Pocket. Upon which, he was found guilty of the Robbery.

*John Tomson*, an Highway-man, was Indicted for Robbing *John Rothell*'s Wagon on the 4th of *January* last, of 20 Ells of Silk value 5 l. and 60 yards of other Silk, 12 pair of Stockings value 14 s. with divers other Merchandizing Goods that were [illegible] *Bradley* and *Wallingford*. The Carrier said that divers persons met him on the Road, but he could not swear that the Prisoner was one of them. It was made out

that ſeveral of the Goods were found upon the Priſoner's back, though he denied it; but being found in ſeveral Stories, in the concluſion he was found guilty, &c.

*David Steward* was Indicted likewiſe for a Robbery on the Highway, committed upon one *Robert Cary* Gent. on the 24th day of *February* laſt, taking from him his Hat and Periwig: But it did not appear that Mr. *Cary* was per in Fear, and none of the Goods being found about the Priſoner, he was thereupon acquitted.

*Francis Beamont*, a Soldier, was Indicted for ſtealing a Silver Tankard on the firſt of *April* value 5 l. from one *Francis Lynes*. The Evidence ſaid that he ſtole the Tankard, and pawned it at one *Hewets* in *Holborn* for 3 l. 10 s. The Priſoner denied it at his Tryal, but the matter was very plain, ſo he was found guilty of the Felony.

*Andrew Browne*, *William Rolph*, *William Briſtow*, of *Pancras* Pariſh Soldiers, were all three Indicted for Felony and Burglary, in breaking the Houſe of *Elizabeth Kennedee* Widow, on the 13th of *April* laſt, at *Black Mary's Hole* near *Hockley in the Hole*, and took away 13 Pewter Plates value 15 s. 9 Poringers 6 s. ſome Pots and Linens, and divers other ſmall Goods of good value. The Evidence ſwore flatly that they were the three Soldiers that came in at the Houſe window, ſwearing that they would kill the firſt that ſhould oppoſe them; but they did not evidence that they took away any Goods, only *Briſtow* had ſome Linen found in his Breeches, and ſome Plates were thrown over the Pales, which *Kennedee* owned to be hers. The Soldiers reply'd, that the Houſe was full of People before they came, and beſet round about, it being an ill houſe. They endeavoured to extenuate the Crime, notwithſtanding they were all three brought in Guilty, &c.

*Edward Munden* was Tryed for ſtealing a gray Gelding value 10 l. from one *Thomas Lane* on the 25th of *April* laſt. The Evidence ſwore that the Priſoner was taken at *Knightsbridge*, and endeavoured to get away when he was apprehended. It appeared further, that the Priſoner was a Partner with *William Mann* in Horſe-ſtealing, and an old Gameſter at that ſort of Play. He denied it, and ſaid he run away, becauſe he was not willing to be took, and he did not know *Mann*. He was a poor ſilly Countrey Fellow, and might be eaſily drawn in, which the Jury conſidering of, thought fit to acquit him.

*Thomaſin Lowder*, alias *Burton*, alias *Blake*, of *St. Pauls Covent-Garden*, was Indicted for ſtealing from *George Watkins*, on the 19th of *February* laſt, a Cloth Coat value 3 l. a Waſtecoat 20 s. a Shirt and Sleeves, and a Dimity Waſtecoat, with other ſmall Goods. The Coat was carried to a Brokers in *Blackmoors-ſtreet* by the Priſoner, and the Proſecutor ownad it to be his, but the reſt were not found. She was an old Thief, and well known in Court, whereupon ſhe was found guilty to the value of 9 s.

*Raymond Rozell*, and *Nicholas Rutley*, both *Dutch* Soldiers, were Indicted for the wilful Murther of one *Francis Kneeves*, together with one *Dennick Farbert*, not yet taken, in the month of *April* laſt, giving him a mortal wound with a Rapier near to the right Pap, of the depth of 6 Inches. Upon which Tryal, a Party-Jury was ſworn, whoſe Names are theſe, *viz.*

| | |
|---|---|
| *Richard Richman* | *Richard Cole* |
| *Jacob Bredey* | *Daniel Gize* |
| *William Pedley* | *Moſes Colwell* |
| *Henry Ernes* | *Raymond Rayney* |
| *John Carr* | *William Rayne* |
| *Samuel Jolly* | *Henry Gradey.* |

After which, the Evidence ſwore that *Rozall* and the other were going by *Kneeves*, and one of them took away *Kneeves's* Shovel, and a Bottle. The Deceaſed ſtriving to obtain them again, they both drew their Swords, and *Rozal* was ſeen to make a Paſs at *Kneeves*, who immediately after dropt down dead. They both deny'd it by their Interpreters, ſaying, that they knew not how *Kneeves* came by his death. The matter of Fact was not ſo plain againſt them as to find them guilty of Murther, but of Manſlaughter only.

*Stephen Middleton* was Indicted for ſtealing a Silver Tankard from one *Alton*, on the 6th of *January* laſt. It appeared, that the Priſoner came to the Houſe in the Name of *Davis*, and calling for Drink, whilſt the Family was above ſtairs, he ſlipt the Tankard away. The Evidence Swore ſtrictly, that he was the Perſon, and altho' the Perſon deny'd it, yet the Evidence was ſufficient enough to find him Guilty.

*William Graveſtock*, a Youth, was Indicted for ſhooting one *Mary Feney*, a Girl, with a Piſtol Bullet upon her Right Arm, giving her a Mortal Wound 4 Inches deep, of which ſhe immediately Dy'd. The Boy ſaid, he did not think the Piſtol was Charged, for that he lookt in the Pan and ſaw no Powder, and did not intend Miſchief againſt the Girl; ſo he was found Guilty of Manſlaughter.

M—— S—— was Tryed for ſtealing from *Elizabeth Yates*, on the 10th of *January* laſt, 8 Callicoe Curtains, 16 Flaxen Napkins, 7 Yards of Cloth, one Mantua Gown, and divers other Goods of good value. The Proſecutors Houſe was broke open, but nothing was alledged againſt the Priſoner about breaking the Houſe, only one Napkin was found about her, which the Evidence Swore poſitively was hers; but the Priſoner ſaid, that ſhe bought the Napkin among another parcel, and knew nothing how it was ſtolen, &c. And the Priſoner calling good Evidence as to her Reputation, ſhe was Acquitted.

*Mary Fincham* was Indicted as principal, and *Elinor Fox* as acceſſary, for ſtealing a conſiderable parcel of Goods, as Damask, and Satrins, and Linnens, and ſeveral Mantles, and other Goods of good value, from Mr. *Barnardine Turſtone*. The Evidence was ſomewhat Circumſtantial, how that the Goods were in a Trunk in Mr. *Turſtone's* Houſe, where the Priſoner *Fincham* Lodged, but he could not ſay, that ſhe took them, only that *Fincham* called a Broker in *Holborn* to buy 14 Cloaks of *Mary Fox*: and *Fox* ſaid, that ſhe found the Cloaks in the houſe where ſhe lay, and both pleaded their Innocency; but *Fox* did ſell them to the Broker: and the Broker ſaid, that they went under the Name of Perſons of Quality, &c. being ſuppoſed to be a Couple of very ill Livers. *Fincham* and her Husband did live in Mr *Turſtone's* Houſe Rent free, about the time the Robbery was committed. But the Evidence could no way Charge them poſitively, and the Evidence being a little various in their Depoſitions, they were both Acquitted.

*John Wilſon*, and *William Elderkin*, were Tryed for breaking the Houſe of the Worſhipful *Foot Jonſon* Eſq; on the 6th of *February* laſt, taking 2 Silver Salvers value 6 l. a Cambler Cloak lin'd with Velvet, abundance of Houſe Plate, a Pair of Shoes, and ſeveral other Goods of great value, ſome of which were in their Cuſtody; beſides they had confeſſed it before, but upon the Tryal *Elderkin* denyed it, ſo likewiſe did *Wilſon*, and ſaid, that the Shoes were left by a Gardiner at his Houſe in *Kent-ſtreet*, but could not prove it; and there were Piſtols found in his Pocket, which were owned by a Perſon in Court, whom he had Robbed before, ſo they were both found Guilty of Felony and Burglary.

*William Elderkin* was a Second and Third time ſingly Indicted for Felony and Burglary, in breaking the Houſe of the Right Honourable the Counteſs Dowager *Middleton*, on the 20th of *November* laſt, and taking away ſeveral ſorts of Goods, as Linnen, and Woollen, and Scarfs, and Alamode Hoods, with Pinners, and Coives, and other ſmall Goods, of a conſiderable value, beſides 35 s. in Money, ſome of which were the Goods of one *Jane Edwards*, and the other the Counteſs abovenam'd. The Evidence Swore, that the Goods were ſome of them found upon the Priſoner in a Houſe at *Hammerſmith*. He denyed all, and had no Evidence on his ſide, ſo he was found Guilty of both Indictments.

One thing there is to be Noted, *That* Elderkin *upon his Arraignment refuſed to Plead, and ſtood Mute, upon which he was forthwith Sentenced to be immediately Preſs'd to Death; but upon his humble Petition, after a little Conſideration, the Sentence was Reverſ'd, and he took Three ſeveral Tryals upon the Indictments above-ſaid, &c.*

*John Bentley*, and *David Key*, were Indicted upon a new Indictment, the firſt being laid falſe, for ſtealing two Weather-Sheep value 3 l. the Goods of one *Pryar*, out of Mr. *Fiſher's* Grounds near *Iſlington*. They came in the Night about Twelve a Clock, and took two Sheep upon their Backs, but being perſued they dropt them, and *Bentley* was taken in the purſuit, but *Key* got away. The Priſoners denyed the Fact, but the King's Evidence further declar'd, that on the 19th of *April* they Seized the Sheep and lay upon them to hold them down, till they were perſued, and then they left them behind. They were found Guilty to the value of 10 d.

*Jane Symſon*, alias *Bibbey*, was Tryed for ſtealing on the 14th of *February* laſt, from *Michael Todd* Gent. a Silver Poringer value 20 s. a Silk Waſtecoat 10 s. a Table Cloth, with Napkins, &c. The Evidence charged her to have ſtolen the Goods, ſhe being a Servant to Mr. *Todd*, alſo there was a Pinner, part of the Goods, found upon her Head when taken; whereupon ſhe was found guilty to the value of 10 d.

*Jeffery Edwards* and *William Smith*, were Arraigned for ſtealing three Oxen price 28 l. the Goods of one *Richard Devil*, on the 8th of *April* laſt, unto which they pleaded Guilty, and to all others within the Benefit of their Clergy, &c.

E—— T—— was Tryed for ſtealing a Silver Tankard value 5 l. The Tankard was taken away on the 24th of *April* laſt. But the Evidence could not charge the Priſoner fully, ſo ſhe was acquitted.

*John Kenyon* was Indicted for the Murther of one *Martin Ivet*, in the Pariſh of St. *James Clerkenwell* on the 21ſt of *April*, giving him a Mortal Bruiſe with a Wooden Bar value 2 d. upon the left part of the Head, of which he inſtantly Dyed. The Witneſs declared, that *Ives* and ſome other Soldiers came to *Kenyon's* houſe, upon *Clerkenwell Green*, and were Drinking there, a Quarrel aroſe between the Priſoner and the Soldiers about paying the Reckoning, which was about 23 d. and the Soldiers and the Deceaſed Threatned to Kill the Priſoner, and drew their Swords upon him, telling him, that they had the Money, and if he expected to be paid, it muſt be with Bloody Noſes. The Priſoner ſaid, that what he did was in his own

defence, for that the Soldiers were very Rude and Insolent, notwithstanding he had given them a Plate of Stuff Beef and Pork before, &c. There were several good Evidencers for the Prisoner, so, in the Conclusion, it was brought in *Se Defendendo*.

*John Marshall*, *John Williams*, and *Thomas Evall*, all Soldiers, were all 3 Indicted for stealing a Silver Tankard, on the 24th of *April*, value 5 l. 10 s. the Goods of *John Swanley*, who gave in Evidence, that they came to his house and called for Drink, and whilest Mr. *Swanley* was gone into the Cellar, they run away with the Tankard. They all denyed it, yet *Williams* and *Evall* were found Guilty, but the Evidence was not positive against *Marshall*, so he was Acquitted.

*William Carter*, a little Boy, about Ten Years of Age, was Indicted for stealing, on the 29th of *March*, two Gold Rings value 30 s. a piece of Coined Gold 20 s. and 36 s. and 10 d. in Money, the Goods and Money of *Martha Gill*. It was fully proved, so he was found Guilty.

*John Wilson* of St. *Giles* in the *Fields*, was Indicted for stealing 40 Yards of Fustian value 30 s. on the 28th of *March* last, the Goods of *William Halsey*, and he was seen to take it out of the Prosecutor's Shop, so he was found Guilty to the value of 10 d.

*Dorothy Ran* of St. *Sepulchres*, was Indicted for stealing, on the 7th of *March*, a Silver Caudle Cup value 50 s. a Handkerchief 5 s. a Silk Scarf 5 s. the Goods of one *Davis*. The Prisoner was heard to confess, that she Pawn'd the Caudle Cup at one *Bakes* in *Charter-house-lane*, and the Handkerchief she had about her Neck. The Prisoner denyed it, but it being fully proved, she was found Guilty to the value of Nine Shillings.

*William Trippet* Yeoman was a Second time Indicted and Tryed for stealing from *Elinor Hastings*, on the 5th of *February*, 2 Gold Rings value 30 s. a Bodkin and a Thimble. The Evidence said, that he took 18 s. in Money. Besides all which, he Confest, when taken, but denyed it upon his Tryal, so he was found Guilty.

*William Eyregstone* was Arraigned for stealing, on the 1st of *April*, 36 Diamonds value 20 l. the Goods of Sir *John Brownlow* Baronet. The Evidence were some of them out of the way, so he was discharged of the Indictment, but another Indictment was ordered to be brought against him, concerning Melting down the Queens Plate at *White-hall*, against the next Sessions.

*Thomas Cox* and *Jacob Jakeman*, who were concerned with *Williams* and *Column*, &c. about the Felony and Burglary committed at *Mary le Bone* in Mr. *Baker*'s House, were Indicted anew, for Feloniously abetting, counselling, receiving, harbouring, comforting and maintaining of the said *Williams*, *Column*, and the rest; which they did, by parting the Plate and Goods at *Jakeman*'s House at *Anny-seed Clare*, and altho' *Cox* was not there present, yet *Williams* kept the Snack for him *Cox*, to invalidate what was urg'd, called some Witnesses, who said that he had behaved himself Civilly heretofore, and very punctual in all his Dealings. The Evidence against him was *Christopher Rothery*, one of the Thieves that was at the breaking open of *Baker*'s House. *Cox* desired that the Jury might take Notice of the Evidence, how that he was Burnt in the Hand before. There being no Witness against *Jakeman* as to the matter of Fact, he was acquitted, and Mr. *Cox* likewise.

*Jonathan Hawkes* was Indicted and Tryed for Felony and Burglary, in breaking the House of Mr. *Cecil*, together with *Isaac Vallen*, and others, not yet seized. Taking away 2 Silver Tankards value 12 l. with divers other Goods, and money, &c. The Evidence not being punctual as to the Burglary, he was acquitted, but found guilty of the Felony.

*Robert Ashley* and *William Green* of *Pancras* Parish, were Tryed for stealing 2 Shirts value 4 s. 4 Smocks 8 s. from *Robert Hyde*, about the first of *April*. They confest to have thrown them into a Ditch, whereupon they were found guilty to the value of 10 d.

*Sarah Davis* was Tryed for stealing 3 Silver Spoons value 27 s. with other things, &c. from *William Searle*, on the 4th day of *September* 1687. There being a General Pardon granted since the Robbery was committed, she was acquitted.

*William Goodman* was Indicted as Principal, and *Derby Lyndsey* as Accessary, for that they, with one *Mary Low*, not yet taken, did break the House of one Mr. *Jones* in *Holborn*, on the first of *March* last, taking away several pieces of Plate, Money, and other Goods. The chief Witnesses were out of the way, being suspected to have compounded the Business, and some of the Money was seized by Mr. *Presgrave* of *Westminster*, the Court ordered it should be looke into. They were both acquitted.

*William Gold* Gent. was Arraigned upon two several Bills of Indictment of Felony, brought against him by the Right Honourable *Ralph* Earl of *Montague*, for that he, being his Servant for above 16 years, was entrusted with all his Houshold Goods, besides Plate, &c. which he had Imbezled. The Prisoner pleaded guilty to both Indictments, the first of which was dated in *December* last, and the 2 in *April* following, &c.

*Philip Williams*, Arraigned for stealing a Silver Tankard value 6 l. the Goods of *Edward Usher*, to which he pleaded guilty.

*Richard Bourne*, who was one of the Gang that robbed Mrs. *Baker* at *Mary le Bone*, was ordered to remain till next sessions.

The Tryals being over, the Court proceeded to Sentence as followeth, *viz.*

*Burnt in the Hand Fifteen.*

Stephen Middleton, E —— J ——, Thomas Holmes, James Barrow, Francis Beamont, (Hermond Roxall, Nicholas Ruttey, *Dutch-men*,) William Smith, Jeoffery Edwards, John Williams, Thomas Evall, William Carter, a Boy, Jonathan Hawkes, Thomasin Lowder, *alias* Burton, *alias* Blake, Dorothy Ran.

*Received Sentence of Death Fourteen.*

William Mawn, John Williams, William Column, James Chambers, Jonas Ratcliff, Phillip Maqueer, George Crawford, John Thompson, Andrew Brown, William Rolph, William Bristow, William Elderkin, John Wilson, *and* Robert Hillgrave, *who Receeived Judgment to Dye last Sessions, was Ordered to be Executed with the rest before mentioned.*

*To be Transported Five.*

Phillip Williams, William Wright, James Gavell, *alias* Gardner, VVilliam Gold, VVill. Trippet.

*To be Whipt Seven.*

Lawrence Noney, *the Black*, *who Robbed* Habberdashers-hall, *from* Newgate *to the* Royal Exchange. John Bentley, David Key, Jane Sympson, *alias* Bibbey, John VVilson, Robert Ashley, VVilliam Green, *from* Newgate *to* Holborn-Bars.

*Rachel Cox* and *Eliz. Fesdale* were Reprieved before Judgment.
*William Greenstick* order'd to bring in his Pardon in course.
One *Jones* was ordered to remain for High Treason.
Mr. *Smithy*'s Son was Bailed for his Appearance next Sessions.
*John Kennion* was ordered to bring in his Pardon in course next Sessions, for killing *Martin Ives*.

☞ One Mr. *Crone*, who was Arraign'd on Thursday for High-Treason, was order'd to be Tryed on Saturday following, an Account of which you shall have at large.

Then the Court Adjourn'd till Saturday morning at Seven of the Clock.

*God Save King* WILLIAM *and Queen* MARY.
*THO: PILKINGTON* Mayor.

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*Licens'd*, May 2. 1690.

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☞ *These are to give Notice, That if any person hath occasion to sell any Library, or parcel of Books, either in large or small Quantities, they may receive ready Money for them, upon View thereof, by* Langley Curtiss *at Sir* Edmondbury Godfrey's *Head near* Fleet-bridge.

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THE

# PROCEEDINGS

ON THE

# King and Queens Commissions

OF THE

## *Peace*, and *Oyer* and *Terminer*, and *Gaol-Delivery* of *Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex*, at *Justice-Hall* in the *OLD-BAILY*.

On *Wednesday*, *Thursday*, and *Friday* being the 3*d*, 4*th*, and 5*th* Days of *September*, 1690. *And in the Second Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, *Oyer* and *Terminer*, and Gaol Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Wednesday*, *Thursday*, and *Friday* being the 3*d*, 4*th*, and 5*th* Days of *September*, 1690. Before the Right Honourable Sir *Thomas Pilkington* Kt. Lord Mayor of the City of *London*, and Mr. Recorder, with several others of Their Majesties Justices for the City of *London*, and the County of *Middlesex*.

*The Jurors were as follow:*

| London Jury, | Middlesex Jury, |
|---|---|
| *Edmond Helder* | *Nicholas Goodwin* |
| *Lawrence Killbey* | *Thomas Mead* |
| *Martin Elkin* | *John Page* |
| *Edward Becus* | *John Milgate* |
| *Benjamin Moreword* | *Randale Page* |
| *Tho Gillborn* | *John Street* |
| *Joseph Stretton* | *Thomas Gowers* |
| *Richard Green* | *John Bird* |
| *Thomas Terry* | *William Evans* |
| *Walter Kettlebey* | *Richard Waterman* |
| *Nathaniel Ranew* | *Leonard Crosbey* |
| *James Croyle* | *Henry Clever* |

*The Proceedings were these:*

*Thomas Farrold* was tryed for stealing a Gelding, price 10 *l.* from one *Thomas Aspin*, the Gelding was afterwards found offering to sale in *Smithfield*, with a Boy upon his Back; but the Prisoner endeavoured to get away, by slipping among the Crowd. The Prisoner said, He bought the Horse of *Thomas Low*, but could not prove it, so he was found Guilty.

*Frances Wolley* was tryed for stealing 38 Yards of Black Crape value 3 *l.* 2 *s.* the Goods of *John Chitwel*. The Evidence said, That she took away the Crape out of the Window, and dropt it at the Door: The Prisoner denied it, and said, She was altogether ignorant of it, and that the Prosecutor had a Spight against her; but nothing could induce the Court to believe her, so she was found Guilty, value 10 *d.*

*G—— W——* and *James Smith*, both High-way-men, were indicted for Robbing *William Turvil* the younger, of *Fulham* in the County of *Middlesex*, on the 25th of *August* last, in the King's High-way; taking away from him a Nag, coloured Bay, price 3 *l.* a Pannel 2 *s.* and a Bridle 12 *d.* The Evidence was young *Turvil* and others, who said, That three Men met him in the High-way, and took away the Horse from him: He swore positively against *Smith*, but the other, he said, had a Mask on, so could not say that he was one: But another Evidence swore, That *W——* was one of the three, and that they had before robbed a Coach upon the Road, and that they fled for it, *&c.* The Prisoners said, That they were going into the Country to buy Horses for the King's Carriages, and used several insinuating Evasions and frivolous Circumstances, but could call no Evidence on their sides, nor prove nothing of what they alledged, so they were both found Guilty of the Robbery.

*G——W——* was a second time singly indicted, For stealing a Ball'd Gelding from Mr. *Tho. Gibborn*, value 20 *l.* a Sadle, and a Bridle, and a Whip, and a Hanger, in the King's High-way, on the 20th of *August*. The Evidence was Mr. *Gibborn* and others, who said, That the Prisoner confest that he took his Gelding from him, near *Tyburn*; all which he stifly denyed at the Tryal, but he had nothing to produce that might be any way advantageous to him, so he was found guilty of that Indictment also. *&c.*

*Martha Nook*, of *S. Paul's Shadwel*, was tried for the Murther of her Female-Infant Bastard-Child, on the 6th of *August* last. It appeared upon the Tryal, That she had brought forth the Child, and conveyed it privately away, but being razed about it and search'd, she made several frivolous Excuses, but at last she confest that she put it into a Settle-bed, in her Mrs. Kitchin, where it was found. And the Midwives and others gave their Opinions, That the Child was Stilborn. The Prisoner said, That she had a Child, but she did not discover it to any Person, because it was dead, and it was supposed that she was willing to hide her Shame: The Statute was read to the Jury, and upon the whole she was acquitted.

*Charles Gregory* was tryed for breaking the Dwelling-house of Sir *John Lowther* Baronet, with an Intention to steal his Goods. The Evidence was, That he was among some others, that beset the House in the Night-time, and was taken, jumping over the Pales; but there was but one Evidence against him, who could not say that the Prisoner broke the House, nor that he made any Entry, but it was a manifest Proof of an Intention to Steal, so he was acquitted.

*Thomas Turner* was tryed for breaking the House of *Tho Brittain*, on the 3d of *August*, taking a Pane of Glass out of the Window, put in his Hand, and took out a Cane, value 2 *s.* 6 *d.* the Goods of *George Bagley*; but being pursued presently, he was taken, and had thrown the Cane before upon a Dung hill: All which the Prisoner confest. The Prisoner had little to say, being an idle young Boy, so he was found Guilty, value 10 *d.*

*Ruth De-Free*, a little Girl, aged about 8 or 9 Years, was tryed for ſtealing a Silver Taſter, and 16 s. in Mony, from one *Mark Blackman* of *Stepney*, on the 23d of *June* laſt. The Evidence was *Blackman*'s Wife, who ſwore only circumſtantially, How that the Child came for a Quart of Drink, and whilſt ſhe was in the Cellar, ſhe might take away the Money; but ſhe could not ſwear poſitively againſt her The Child denied the Fact, and nothing was found about her, neither did ſhe confeſs it; ſo it appeared to favour a little of Malice, ſhe was acquitted.

*Edw. Killbey* and *Mary Wills* of *S. James Weſtm after*, were Indicted for ſtealing a Leather Bag, value 1 d and 3 l. 11 s. in Money, from one *William Jones*: Who declared, That *Wills* was a Servant to him, and that ſhe told her Maſter, That ſhe was to be married to the Priſoner *Killbey*, and that he had between 3 and 4 l. of ready Mony: which gave the proſecutor a great Suſpicion that it was his Mony, that he had loſt, which ſhe confeſt a while after, That ſhe took the Mony off the Bed, and that *Killbey* took it away from her: But they both denied it at the Tryal, and there was nothing of Proof againſt *Killbey*, ſo he was Acquitted, but *Wills* was found Guilty of Felony.

*Suſannah Tyrrell*, a Girl about ten Years old, was Indicted for ſtealing two Gold Rings, value 21 s. and 14 s. in Mony, on the 25th of *Auguſt*, from *Rachel Sturdy*. The Evidence was, That ſhe confeſt, That one *Elizabeth Sallowes* (now in *Newgate*) did give her a Key to open the Door, and bid her ſteal away the Rings and Mony: all which was plainly evinced, and the Girl did own that *Sallowes* ſet her a work. So that upon the whole, ſhe was found guilty to the value of 9 s.

*William Homer*, *Alice Wingfield* and *Mary Shaw* were all 3 Indicted, *Homer* as Principal, and the other two as Acceſſaries, for ſtealing, on the 1ſt day of *July*, from Mr. *John Abbington*, ſix Yards of Poynt Lace, value 9 l. But there was no Evidence that could charge the Principle, ſo they were all Acquitted.

*Richard Denham* was tryed for breaking the Houſe of *Gilbert Crowder* of *Stepney*, on the 19th day of *Auguſt*, and ſtealing away 180 Yards of Crape, value 10 l. the Goods of Mr. *William Hyde*. The Evidence ſaid, That he was wont to come to *Crowder*'s Houſe, where, in a Shed adjoyning to it, lay the Crape; and after the Priſoner directed them where it was, it was plainly proved, but he denied it; yet he was brought in Guilty of the Felony, but Diſcharged of the Burglary.

*Henry Hawkins* was tryed for ſtealing four Pewter Plates, value 6 s. on the 7th of *Auguſt*, from *James How* Eſq; which were found upon him. The Priſoner denied it, and ſaid he found them in the Yard, but that did not prevail, ſo he was found Guilty to the value of 10 d.

*Eraſmus Townſend*, of the Pariſh of *S Peter le Bone*, was Indicted for ſtealing ſix Yards of flowered Silk, value 15 s. 6 yards of other Silk value 4 s. one laced Necloth, value 18 d. a Knife, value 8 d. from *Jeremiah Ward*, on the 27th of *July*. The Evidence was *Ward*, who ſaid, That he loſt his Goods in the Night-time, but was ſhort as to the main part of the Charge, ſo he was Acquitted.

*Mary Davis* was tryed for taking from *Margaret Lee*, on the 29th of *July*, one Guinea and 4 l. 2 s. three farthing in Mony. The Evidence ſwore, That the Mony was found in her Cuſtody, in a Glove: But ſhe denied that ſhe had the Guinea, but afterwards the Guinea was found in her Pocquet, having taken it out of a Trunk before; the Priſoner denied it, and uſed very weak Arguments in her Defence, ſo ſhe was found Guilty to the value of 9 s.

*Anne Smith*, a Dutch Woman, was tryed for ſtealing 21. Yards of *Hamborrough* Cloth, value 5 l. 10 s. from *John Hart*, on the 27th day of *Auguſt*. Upon her arraignment ſhe deſired a Parry Jury, whoſe Names are as follow,

| | |
|---|---|
| *Edward Helder* | *John Mertin* |
| *William Carbonnel* | *Benjamin Morewood* |
| *Lawrence Killbey* | *John Laughere* |
| *Claudius Hayes* | *Thomas Gibborne* |
| *Martin Elkin* | *Peter Vanſyer* |
| *Edward Pegott* | *Joſeph Streeton* |

After which the King's Evidence gave their Depoſitions, and declared, That ſhe took away the Goods, which was found upon her; but there was another Woman with her that was fled: She denied it by her Interpreter, yet ſhe was found Guilty to the value of 10 d.

*Arthur Langford* was Indicted for the Murther of one *Nath. Wilford*, a little Child, on the 17th day of *June* laſt. It appeared upon the Evidence, That he drove his Cart near to a Poaſt, and preſſed the Child's Head between the Cart Wheele and the Poſt, but the Head was not broken, only bruiſed very much, which the Surgeon declared was the occaſion of his Death, living about three or four dayes after, and then dyed. The Priſoner denyed the Fact, ſaying, There were other Carts in the Street beſides his: and there being no poſitive Proof, he was acquitted.

*Grace Hedges* was Indicted for ſtealing a Silver Tankard, value 6 l. two Porringers, value 3 l. two Spoons, value 20 s. *&c.* the Goods of one Mrs. *Lee*: Who ſaid, That ſhe loſt her Goods, and that the Priſoner did confeſs it to one of the Evidence, That ſhe did take the Spoons, and her Husband did take the Tankard; about a Week before, the Priſoner ſaid, That her Husband gave them to her, and was ſince fled: But there was nothing charged againſt her but the Spoons, ſo ſhe was found Guilty of ſtealing the Spoons, only to the value of 8 s.

*Thomas Naylor* was Indicted for ſtealing a Silver Tankard from *John Hewit*, value 5 l. in *Auguſt* laſt, *viz.* the 16th. the Evidence was the Maid, who ſwore, That he and another came in to drink, and whilſt the Maid was drawing of Beer, for another Company, they conveyed away the Tankard, and was taken knocking at a Door in the *Strand*. The Priſoner denied that he was in the Houſe, and called ſome of his Neighbours to vindicate his honeſt Reputation; which gave the Court a favourable Account of his Credit, and that he had alwayes behaved himſelf very civily, and the Court ſuſpected that the Maid might be miſtaken in the Man, ſo he was acquitted.

*William Banifter* was Inicted for ſtealing a Silver Tankard (likewiſe) from *Anthony Browne*, on the 2d of *June* laſt. The Evidence ſwore, That the Priſoner and another came into the Houſe and called for Drink, and ſlipt away the Tankard, and run away with it: He was an old Thief, and could make no material Defence, ſo he was found Guilty of the Felony.

*Richard Eaton* and *James Arden* were both Indicted for Robbing *Henry Meſeles* of *Stepney*, on the 20th of *Auguſt*, of 13 Guineas and 3 pieces of *Jacobus*, 2 King *James*'s Pieces of Gold, and other Gold, beſides 5 l. in Mony, value about 24 l. which *Eaton* took out of the Proſecutor's Houſe and gave to *Arden*: Which Gold afterwards was found buried under an Elder-Tree, in a Yard of the Proſecutors. All which the Boy, *Eaton*, confeſt before Juſtice *Withers*, but *Arden* would not confeſs any thing: He ſaid, He did not know whoſe Mony it was, and that he never buried it. Upon the whole, *Arden* was found to entice the Boy to Rob his Maſter; yet in the Concluſion they were both found Guilty.

*Mary Spyke* was tryed for ſtealing a Silver Cup from Mr. *Symon Turner*, on the 6th of *Auguſt* laſt. The Evidence was Mr. *Turner*, who ſaid, That the Priſoner, and another Man and Woman, came to the Proſecutor's Houſe to drink, and the two Women took away the Cup; which was found pawned at a Brokers. The Priſoner ſaid, That the other Woman took away the Cup, ſo ſhe was found Guilty, value 10 d.

*Barbara Pomfret* was tryed for feloniouſly taking from *Rich. Lazenberry* Gent. 2 Silver Spoons, value 20 s. on the 6th of *June*. The Evidence was two Gentlewomen, the Daughters of Mr. *Lazenberry*, from whom the Spoons were taken, who ſaid, That the Woman was wont to frequent the Houſe, her Husband being a Servant to the Proſecutor, and that ſhe took away the Spoons and ſold them for 8 s. a Piece; all which ſhe did freely confeſs to them, but denyed it upon her Tryal. She was found Guilty to the value of 10 d.

*H—— Z ——*, a *German*, was tryed upon a Parry Jury, for ſtealing a Silver Srandiſh, value 20 l. on the 20th of *June*, from the Right Honourable the Lord *Oſſelſtone*. The Jury are theſe,

| | |
|---|---|
| *Nicholas Goodwin* | *John Millgate* |
| *Lewis Hackall* | *James Marteen* |
| *Thomas Mead* | *Henry Cleaver* |
| *Paul Valatt* | *John Prowce* |
| *John Page* | *Randale Page* |
| *Peter Wagoner* | *John Raverty* |

The Evidence ſwore, That he had been formerly a Servant to the Lord *Oſſelſtone*, and knew the Houſe very well, ſo took away the Srandiſh, and ſold the bottom of it in *Long-Acre*, and the reſt he diſpoſed of in other places: All which he had confeſt before Sir *William Turner*, and that through Poverty he did take it, ſo was found Guilty of Felony.

*Francis Oſborn*, an High-wayman, was tryed for robbing one Mr. *Hugh Wells*, on the 9th of *Auguſt*, at *Beubridge-Hill*, about 8 Miles off, in *Hertfordſhire*, and taking from him a Stuff Coat, value 4 l. a Rapier with a Silver Hilt, value 40 s. and 10 s. in Mony. The Evidence was Mr. *Wells*, *&c.* who ſaid, That 3 Men met him, at *Beubridge* aforeſaid, and knockt him off his Horſe and Ript him, and took away his Mony and Coat, and then rid away; but being purſued, the Priſoner was found crept into a Hedge near *Paddington*, and being pulled out and ſearch'd 4 half Crowns were found about him: The Evidence ſwore poſitively, That he was the Man that robbed Mr. *Wells*, but the other two were got away. The Priſoner denyed it, and ſaid, That he knew not the two Men that were with him,

and

and run into the Hedg, being affrighted at the Purſuit: But the evidence was very poſitive againg him, yet the Court gave him Leave to call ſome of his Neighbours, who gave a favourable account of his former behaviour; ſo upon the whole Matter he was found Guilty.

*Millicent Hunberſtone* was tryed for ſtealing 2 Lutestring Scarfs, value 8 s. 2 Hoods, value 3 s. another Hood 1 s. and other ſmall things, value all about 16 s. She was taken coming out at the Door with them, ſo the matter was plain, and ſhe could not deny it: She was found Guilty 10 d.

*Margaret Beard*, a little Girl, aged 11 Years, was tryed for ſtealing 11 Yards and a quarter of Anterme Stuff, value 16 s. 5 d. on the 8th of *Auguſt*, from *Henry Jevon*: It ſeems the Girl came into Mr. *Jevon*'s Shop, to buy ſomething, and took away the Stuff, which was afterwards found at one Mrs. *Pierces*, where the Girl lay. She denyed it: yet ſhe was known to be a pilfering idle Wench, ſhe was found Guilty, value 10 d.

*Jane Paget* was Indicted for ſtealing a Candleſtick, value 30 s. from *Urſula Meritt*, on the 20th of *June*. Mrs. *Meritt*'s Servant depoſed, That the Candleſtick was put to her to clean, and ſhe took it away: All which ſhe confeſt before Juſtice *Ward*, but denyed it now; but after ſome Deliberation begged the Mercy of the Court, who appointed her the Portion of a Petty-Larceny.

*John Pluckwell* and *Samuel Pluckwell*, were Indicted for ſtealing four Roaſting-Pigs, value each 3 s. from *Robert Jefforye*, of *Fulham*. The Evidence ſwore, That the two Priſoners were ſeen to run away with the Pigs out of *Jefforye*'s Yard. But the Priſoners urged, That Mrs. *Jefforyes* went to another Neighbors to ask if his Men were at Home; which ſhe might not have done, if ſhe had known them perfectly. But Mrs. *Jefforyes* ſaid, That ſhe did that becauſe ſhe did ſuſpect others to be Confederates. The Priſoners proved that they were elſewhere when the Pigs were ſtolen, and that the Proſecutor's Wife was a very troubleſome, vexatious and litigious Woman in her Neighbourhood: Which did ſo well ſatisfie the Court that they were both acquitted.

*Alexander Clark* and *Dorothy Smith*, were tryed for ſtealing a Silver Mugg, value 50 s. the Goods of *Abraham Harle*. The Evidence was, That the Mugg was loſt the 22 d day of *Auguſt*: They both came to the Houſe, and after they had drank, *Clark* took away the Mugg, and gave it to a Woman, who hid it in a Ditch near *Hockley in the Hole*, which he could not much deny; and the Woman *Smith*, did acknowledg ſhe did receive the Mugg, as they both did before Sir *William Turner*. He could not prove that he found it, as he would fain have made the Court believe, ſo he was found Guilty, but *Smith* was Acquitted.

*Elizabeth Jones* was tryed for ſtealing a Silver Tankard, from *Thomas Bayley*, in *February* laſt, value 7 l. But the Fact being committed before the 16th of *May*, ſhe was Acquitted by vertue of their Majeſties Pardon.

*Anne Lee* was Indicted for robbing *Joſhua Richards*, on the 31ſt of *May*, of a conſiderable parcel of Plate, a Gold Chain, value 20 l. abundance of wearing Apparel, beſides 160 l. in Mony. Mr. *Richards* ſaid, That he could not ſwear ſhe took the Goods, but her Husband was concerned in the Robbery with her (as he did ſuſpect) but he could not be found. So the Proſecutor had no cloſe Evidence upon the Priſoner, therefore ſhe was Acquitted.

*John Daynter*, was tryed for committing a great Robbery, by breaking the Houſe of one Mr. *Joſeph Yates*, in the day-time, on the 29th of *Auguſt*, and taking away a Silver Nutmeg grater, value 10 s. 6 lac'd Pinners, value 14 l. 1 Picture ſet in Gold, 20 l. 20 Yards of Dimity, 20 s. 15 Yards of Silver Fringe 40 s. a Gold Chain and Plate, and abundance of very Rich Wearing Apparel, to a great value, and 27 s. in Mony, &c. It appeared, That the Priſoner inveigled with another Man, who is ſince brought an Evidence againſt him, to go to the Houſe and perſwade the Maid to go to the Fair, that he might have Opportunity to rob the Houſe: Which he did, and ſet the Door ajoar, whilſt the Maid was above Stairs dreſſing her ſelf, in order to goe with the other Man to the Fair: In the interim the Priſoner ſlipt in at the Door, and hid himſelf in the Cellar, and after they were gone, he rifled the Houſe. There was a Trunk ſome time after found in *Shoe-Lane*, and ſome of the Mony in it, which the Maid, one *Judith Williams*, owned to be hers, and the Trunk was the Priſoners: So, upon the whole Matter, it was look'd upon, by the Court, to be a piece of great Villany in the Priſoner; and although the Priſoner denied it in part, uſing ſeveral Evaſions, particularly deſiring Counſel, when there was no matter of Law aroſe: After a long hearing he was found Guilty of Felony.

*Thomas Cox* was tryed for robbing *Tho. Boucher*, on the Highway, on the 23 d of *July* laſt. The Evidence ſwore, That *Cox* and another met him upon the Road, upon *Hounſlow-Heath*, and took away a Brown Mare, price 7 l. and a piece of Gold, and 21 s. in Mony. *Boucher* ſaid, That he was ſure that *Cox* was the Man that met him and ſeaſed upon him, and that the Mare was found in one *Pierce*'s Stable, who was the Perſon that was in *Cox*'s Company. The Priſoner denied it, and ſaid That he was called ſome Evidence to prove it, but it was to no effect, for he was found Guilty of the Robbery.

*Thomas Allen* was tryed for ſtealing a Silver Tankard, value 5 l. and a Taſter 4 s. on the 2d of this inſtant *September*, from *Bartholomew Hunt*. The Priſoner and another came to drink, and took their time to defraud the People of the Goods, by running away with them: And the Evidence ſwore, That the Priſoner was one of them. The Priſoner ſaid, That he was at his Father's Houſe when the thing was done, but could not prove it, ſo he was found Guilty of Felony.

*M——n Q——* was Indicted as Principal and *Trimmer Salesbury* as Acceſſary, for ſtealing 2 Silver Tankards, value 11 l. the Goods of *John Hathaway*, on the 27th of *June* laſt. The Evidence was, That *Q——* had the Tankards and ſold them to *Salisbury*. *Q——* would have laid it upon another Man, and talk'd very peremptorily to the King's Evidence. *Salisbury* ſaid, That he was ſent for to *Q——*'s Houſe to ſee a couple of Tankards, which were Mr. *Hathaway*'s, and ſaid, A Man that was there run him into the Side with a Bygoner, becauſe he would diſcover them to *Hathaway*; So *M——n Q——* was found Guilty of Felony, and *Salisbury* as Acceſſary afterwards.

*Anne Yates*, *Mary Jones* and *Elizabeth Smith*, were all three Indicted for ſtealing a Silver Tankard, value 5 l. the Goods of Mr. *John Maſon*, on the 14th of *Auguſt*. Mr. *Maſon* ſaid, That *Anne Yates* and *Mary Jones* had confeſt it, how they carried it away, but he could not ſay any thing againſt *Smith*. Mr. *Maſon*'s Mother confirmed what he had depoſed, and the caſe was plainly proved againſt them: And they had nothing to offer, ſo *Yates and Jones* were found Guilty, but *Smith* was Acquitted.

*William Smith* was arraigned upon two Indictments, the firſt for ſtealing a Silver Tankard, value 5 l. from *Thomas Lucas*: The ſecond for ſtealing a Silver Tankard from *William Warham* value 5 l. Unto both which he pleaded Guilty.

*Frances Wolley* was arraigned for ſtealing a Pewter Diſh and a Silver Cup, value 40 s. from one *Lamb*, but no Evidence appearing ſhe was immediately Acquitted.

*John Williams* was likewiſe arraigned for ſtealing a Cloth Coat, value 8 l. a Silk Taffety Manua Gown, value 3 l. from *Michael Lambert* Eſq; unto which he pleaded Guilty.

*Joane Brown* was Indicted for ſtealing, on the 6th of *September* 1689. a Silk Scarfe with a Gold Fringe, value 10 l. a pair of Gold and Silver-Fringed Gloves, value 5 l. 10 s. another Silk Scarfe, value 6 l. a Pair of Gloves with Lace, value 42 s. and other Goods, from *Alexander Kern*: But the committing the Fact before the Date of Their Majeſties moſt Gracious Pardon, ſhe received the Benefit of the ſame.

*John Beckham* was Indicted for ſhooting *Peter Barker* into the Groyne, with a Piſtol. But it being done by a meer Accident, he was diſcharged.

*Joan Brown* alias *Varlen*, was tryed for ſtealing; from Sir *John Pettring* Baronet, on the 8th of *Auguſt*, one Silver Mug value 23 s. 5 Silver Forks, value 40 s. ſome other Plate and a Night-Gown, value 30 s. with other things: All which were owned, by the Proſecutor, to be his Goods; and the Priſoner was ſeen to run out of Sir *John*'s Lodgings, and being purſued ſhe dropt them. She denied it, yet ſhe was found Guilty of the Felony.

*Suſannah Turner*, a Girl, accuſed for robbing one *Francis Smith*, of *Weſtminſter*, of 8 l. 13 s. in Mony, on the 25th day of *Auguſt* laſt paſt, &c. The Evidence was, That ſhe was ſeen to go up the ſaid *Smith*'s Stairs, and ſtay a while and then came down again, and after the Man miſt his Mony. The Priſoner ſaid, She went to look for her Girdle, which was in a Trunk ſhe had there, and callsd ſome Evidence to prove her Honeſty: She was Acquitted.

*Margaret Adams* was tryed for robbing *Daniel Cooper*, on the 3d of *Auguſt*, of a Holland Sheet, value 20 s. 2 Flaxen Sheets 20 s. nine Diaper Napkins, value 9 s. 3 pair of Pillowberes 10 s. and ſeveral other Goods of good Value: The Evidence could not charge her fully ſo ſhe was Acquitted.

*Elizabeth Jones*, alias *Fyrmin*, was indicted for robbing *Suſan Baſs* Widow of 3 Silver Spoons, value 30 s. on the 6th of *Auguſt*. The Evidence was, That ſhe confeſſed it before Juſtice *Johnſon*: But ſhe denied the Fact, and ſaid, The Spoons were lent her by Mrs. *Baſs*'s Maid, but could prove nothing. She was known in Court to have been an old Thief, ſo ſhe was found Guilty, value 10 d.

*Ann Hereford*, alias *Roberts*, was likewiſe tryed for robbing *John Brown*, of *S. Giles in the Fields*, of a Gauſe-hood, value 2 s. 6 d. a Taffary Hood 6 s. a laced Scarfe 8 s. 6 d. a Neck Scarf 18 d. and 11 l. in Mony. The Evidence was, That ſhe came and took a Lodging of the Proſecutor ready furniſhed, which ſhe was to pay 2 s. a week for: And after ſhe had lodged but one Night, ſhe robbed the poor Man of all he had. The Priſoner denied all, but the Proof was ſtrong enough to find her Guilty of Felony.

*Margaret Barnet* was arraigned for ſtealing a Silver Porringer, value 20 s. a Spoon 5 s. on the 26th of *July*, from Madam *Dines*. She came into the Houſe to offer Cherries to ſell, and ſo took away the Plate, which was found upon her before ſhe got away, and the confeſſed it before Juſtice [illegible]

*Elizabeth Wade* was accused for stealing from *Hope Wilkinson*, on the 10th of *July* last, a Crape Mantua Gown, value 9s. and other Goods. The Crape Gown was found upon her, so she was found Guilty 10 d.

*Joyce Fletcher* was likewise tryed for stealing a Scuff Gown, value 13 s. a Petticoat, value 9s. and divers other Goods, from *Kath. Simmons* of *Tokum* on the 4th of *July* last. The Evidence was *Simmons*, who swore, That the Gown was found upon her back when taken. The Prisoner denyed it, yet she had the same Judgment as the former, viz. She was found Guilty to the value of 10 d.

Lieutenant *James Weames* was indicted for a high Misdemeanor, in speaking Scandalous and Seditious Words against the King and Government, (that is to say) *That a great number of* French *were* landed *in* England, *and that they were come to place the* King *on* his Throne: *and that the Land would never be high till that was done: And that the* Nobility *of* England *were a parcel of Fat Rogues, and what they did for King* William *was not so much for the sake of Religion, but to save their Wealth and Honour: And that the King,* (meaning King *William*) *was a Villain, a Dutch Dog and an Usurper, intending to take his Fathers Crown from him.* This was the Substance of the Matter that was Sworn against him, on the King's Side. To invalidate which, the Prisoner produced numerous Evidence, who knew him very well, giving a particular and clear account of the Prisoner's Reputation. That he had always been a very zealous Protestant, and very well affected to the Present Government, as might appear divers ways; witness his forward Zeal in *New England* (being sent thither under the Command of Sir *Edmund Andrews*, in the Time of the late King *James*) for as soon as he heard of the Alteration in the present state of Affairs, here in *England*, he presently caused all the Guns in the Fort, which were in number about 14 or 15, to be discharged, and made a vigorous Defence also against the French and Indians, when they came to make an Incursion upon the Plantation: Besides, he had always spoke well of King *William* and Queen *Mary*, and always went to Church, and was a true Protestant, &c. But, you must note, That the Prosecutor swore against him out of meer Revenge, as may appear thus: The Man who swore against him was his Servant in *New England*, but behaved himself there very ill; upon which his Master the Lieutenant, gave him some small Correction, after which the Fellow was heard several times to threaten him, That if ever he returned to *England* he would be revenged on him, or to that effect. But besides this, the Lieutenant returning to *England*, he had frequent communication with the Witness, and had a Trunk at his House which the Witness kept from the Prisoner, upon some slight occasion; upon which the Lieutenant arrested him, and there was an Agreement made: But the Witness after that was heard to pronounce more Threats against the Lieutenant; and to upon the whole matter, the Court looking upon it to be a malicious and base Prosecution, the Prisoner was Acquitted.

*John Lowthorp*, Clergyman, was indicted for a high *Misdemeanour*, in *Writing, Printing* and *publishing* a most *Pernicious, Scandalous, Seditious* and *Notorious Libel* (on the 18th of *July* last, and at divers other times as well before as after) against the *King* and *Government*, Entituled *A Letter to the Lord Bishop of Sarum, in answer to his Lordship's* Pastoral Letter. In which *Scandalous Libel* there are many *Treasonable Sentences*. There were many other very reflecting Sentences laid against him, that he made use of to support his Designs, which was purely and indeed to Raise Rebellion and Discord between the King and People, on purpose to set the Nation into a Flame, and to cause them to cut each others Throats; which was more fully laid open against him by the King's Counsel, and the whole Court, telling him, That he ought to have been Indicted of High Treason, and that his Message to the World (as he was a Clergyman) was to preach the glad Tidings of Peace and Salvation, but instead of that he had done all he could to perswade Men, That unless they repent, and bring in King *James* again, they were all damned. All this was fully proved against him, as also the Writing, Printing and Publishing of the Book or Letter, which in all contained 5 Sheets and a half of Paper, above 400 of which were found in his Custody. Now for the Vindication of himself he had little to say, only urged, That he writ it to the Bishop, to beg his Advice and fatherly Instruction; and that if he had offended by it and mistook his Measures, he was heartily sorry for it, (or the like)? So after a fair Hearing the Jury found him Guilty of the Indictment.

The said *John Lowthorp* was Fined 500 Marks, and the said Books was ordered to be Burnt by the Common Hangman at the *Palace-Yard Westminster*, at *Charing Cross*, and without *Temple-Bar*; and to remain in Prison till the Fine be paid: And to be Degraded of the Ministerial Function.

Trials being over, the Court proceeded to give Sentence as followeth, *Burnt in the Hand* 9.

William Smith, Alexander Clark, Grace Hedges, Richard Dean, John Williams, [illegible], Mary Wills, Mary Evans and Theodore Sallentine.

*Ordered to be Transported* 5.

William Banister, Thomas Allen, Richard Eaton, James Arden *and* Susannah Tyrrell.

*Received Sentence of Death* 11,

Thomas Yarrold, John Daynter, M——Q——, Anne Yates, Mary Jenes, G—— W——, James Smith, Francis Osbourne, Thomas Cox, Joan Brown, Anne Hereford *alias* Roberts.

M——Q——, *Anne Yates, Joan Brown* and *Anne Hereford*, pleading their Bellies, a Jury of Matrons were empannelled, whose Verdict was That Q——, *Brown* and *Hereford* were with Quick Child, but *Yates* was not.

*Ordered to be Whipt* 13.

Frances Woolley, Anne Smith, Mary Spinke, Thomas Turner, Henry Hawkins, Barbara Pomfrett, Millicent Humberston, Mary Beard, Jane Pagett, Elizabeth Jones, Margaret Barrett Elizabeth Wode, Joyce Fletcher.

The Notorious Murther that was lately committed upon the Body of a Strange Man, in *White-Fryers*, who was thrown into the *Thames*, is now in part discovered, and two of the Persons suspected viz. one *Mitchel* and *Bowman* are continued in *Newgate* to answer it at the next Sessions.

*John Staples*, who was lately committed to *Newgate*, by the Lord Chief Justice *Holt*, upon the Oath of *Lydia Cary*, for cheating her of three Pound five Shilling in Mony, was discharged, no Evidence coming against him, but not without a Caution from the Court, To beware for the future, &c.

The next ensuing Sessions was ordered to begin at *Guild-Hall*, the 15th day of *October* next, and at the *Old Baily* on the 18th of the same Month.

*God Save King* WILLIAM *and Queen* MARY.

*THO. PILKINGTON* Mayor.

## Advertisements.


IF any Gentlemen or Ladies, who can spare two Hours in a Week to be with him, have a desire to learn to speak Latin and French truly and properly, and to explain any Author, C. Switzerus Esq; professes a new and most exact Method to teach them the said Languages in one Year. Those who have learned formerly, may recover it in 3 or 4 Months. He offereth to be bound to every one for the performance thereof. He teacheth also High and Low-Dutch and Italian, in a very short Time. And if any one desires Historical Cards, and a succinct Grammer, in 2 Sheets of Paper, or a Pack of Grammatical Cards, by which he has taught Children of 6 Years of Age to speak Latin: They may have them at the 2 Places where he teacheth, viz. in 3. Clemence-Lane, near Canon Street, next the Sign of the Coffin, Tuesdays, Thursdays and Saturdays: And at Charles Brook's Coffee-house, in Falcon-Court over against S. Dunstan's Church in Fleet-street.

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*In* Plow-Yard *in* Grays-Inn Lane, *lives Dr.* Thomas Kirleus *a Collegiate Physician, and Sworn Physician to* Charles II. *until his Death: Who, with a Drink and Pill, hindering no Business, Cures all Ulcers, Scabs, Scurfs in the Face, or elsewhere; Kings-Evil, Leprosie, and Venereal Disease, expelling nothing if he Cures not Of the last, he hath Cured above 500 persons in this City, many after Fluxing. It quickly and safely Cures it in the beginning, which cannot be done with* Mercury, *without danger of Life. The Drink is* 3 s. *the Quart, the Pill* 1 s. *the Box, which is two Purges. They excel all Purges, in cleansing all Crudities and Impurities and so prevent and Cure many Diseases, and especially the Gout and Stone. In all Diseases he gives his Opinion for nothing.*

# A Full and True RELATION OF THE Examination and Confession OF W. Barwick and E. Mangall, OF TWO HORRID MURDERS,

One Committed by *William Barwick* upon his Wife being with Child, near *Cawood* in *Yorkshire*, upon the 14*th*. of *April* last: As likewise a full Account how it came to be discovered by an *Apparition* of the Person MURDER'D.

The Second was committed by *Edward Mangall*, upon *Elizabeth Johnson* alias *Ringrose*, and her *Bastard Child*, on the 4*th*. of *September* last, who said he was tempted thereto by the Devil.

ALSO,

Their Trials and Convictions before the Honorable Sir *John Powel*, Knight, one of Their Majesties Justices, at the Assizes holden at *York*, on the 16*th*. of *September*, 1690.

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*October* the 7. *Published* according to Order, 1690.

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AS *MURDER* is one of the Greatest Crimes that Man can be guilty of, so is it no less Strangely and Providentially discovered, when privately committed. The foul Criminal believes himself secure, because there was no Witness of the Fact. Not considering that the All-seeing Eye of Heaven beholds his conceal'd Iniquity, and by some means or other bringing it to Light, never permits it to go Unpunished. And indeed so certainly does the Revenge of God pursue the Abominated *MURDERER* that when Witnesses are wanting of the Fact, the very Ghost of the *Murdered-Parties* cannot rest quiet in their Graves, till they have made the Detection themselves. Of this we are now to give the Reader, Two Remarkable Examples that lately happened in *Yorkshire*; And no less Signal for the Truth of both Tragedies, as being confirmed by Trial of the Offenders, at the last Assizes held for that County.

The First of these *Murders* was committed by *William Barwick*, upon the Body of *Mary Barwick*, his Wife, at the same time big with Child. What were the Motives that induc'd the Man to do this Horrid Fact, does not appear by the Examination of the Evidence, or the Confession of the Party: Only it appeared upon his Trial that he had got her with Child, before he Married her; And 'tis very probable that being then constrained to Marry her, he grew weary of her, which was the Reason he was so willing to be rid of her, that he

he ventur'd Body and Soul to accompliſh his Deſign.

The Murder was committed upon *Palm-Monday*, being the Fourteenth of *April* laſt, about Two of the Clock in the Afternoon, at what time the ſaid *Barwick* having drill'd his Wife along till he came to a certain *Cloſe*, within ſight of *Cawood-Caſtle*, where he found the Conveniency of a Pond, he threw her by force into the Water, and when ſhe was Drown'd, and drawn forth again by himſelf upon the Bank of the *Pond*, had the Cruelty to behold the Motion of the Infant, yet warm in her Womb. This done, he conceal'd the Body, as it may readily be ſuppos'd among the Buſhes, that uſually encompaſs a *Pond*, and the next night, when it grew duskiſh, fetching a Hay-ſpade from a Rick that ſtood in the *Cloſe*, he made a Hole by the ſide of the *Pond*, and there ſlightly Buried the Woman in her Cloaths.

Having thus diſpatched two at once, and thinking himſelf ſecure, becauſe (unſeen) he went the ſame day to his Brother-in-Law, one *Thomas Loftkouſe* of *Rufforth*, within Three Miles of *York*, who had Married his drown'd Wifes Siſter, and told him he had carried his Wife to one *Richard Harriſon*'s Houſe in *Selby*, who was his Unkle, and would take care of her. But Heaven would not be ſo abuſed, but rais'd up the Ghoſt of the *Murder'd* Woman to make the Diſcovery. And therefore it was that upon the *Eaſter-Tueſday* following, about Two of the Clock in the Afternoon, the fore-mention'd *Lofthouſe*, having occaſion to Water a Quickſet Hedge, not far from his Houſe, as he was going for the Second Pail-full, an Apparition went before him in the Shape of a Woman, and ſoon after ſat down upon a Riſing Green Graſs-Plat, right over againſt the *Pond*: He walk'd by her as he went to the *Pond*; and as he return'd with his Pail from the *Pond*, looking ſide-ways to ſee whether ſhe continu'd in the ſame place, he found ſhe did; and that ſhe ſeem'd to Dandle ſomething in her Lap, that look'd like a White-Bag (as he thought) which he did not obſerve before. So ſoon as he had emptied his Pail, he went into his Yard, and ſtood ſtill to try whether he could ſee her again; but ſhe was vaniſh'd.

In his Information, he ſays, That the Woman ſeem'd to be habited in a Brown Colour'd Petticoat, Waſtecoat, and a White Hood; ſuch a one as his Wifes Siſter uſually wore; and that her Countenance look'd extream Pale and Wan, with her Teeth in ſight, but no Gums appearing; and that her Phyſiognomy was like to that of his Wifes Siſter, who was Wife to *William Barwick*.

But notwithſtanding the Gaſtlineſs of this *Apparition*, it ſeems it made ſo little Impreſſion in *Lofthouſe*'s Mind, that he thought no more of it, neither did he ſpeak to any Body concerning it, till the ſame Night as he was at his Family Duty of Prayer, that that Apparition return'd again to his Thoughts, and diſcompos'd his Devotion; So that after he had made an end of his Prayers, he told the whole Story of what he had ſeen to his Wife: Who laying Circumſtances together, immediately inferr'd, that her Siſter was either Drown'd, or otherwiſe *Murder'd*, and deſir'd her Husband to look after her the next day, which was the Wedneſday in *Eaſter-Week*. Upon this *Lofthouſe* recollecting what *Barwick* had told him of his carrying his Wife to his Unkle at *Selby*, repairs to *Harriſon* before-mentioned, but found all that *Barwick* had ſaid to be falſe; for that *Harriſon* had neither heard of *Barwick* nor his Wife, neither did he know any thing of them. Which notable Circumſtance, together with that other of the *Apparition* increas'd his Suſpicions to that degree, that now concluding his Wifes Siſter was *Murder'd*, he went to the Lord Mayor of *York*; and having obtained his Warrant, got *Barwick* apprehended: who was no ſooner brought before the Lord Mayor, but his own Conſcience then accuſing him, he acknowledged the whole Matter, as it has been already related, as it appears by his Examination and Confeſſion herewith Printed: To which are alſo annex'd the Informations of *Lofthouſe*, in like manner taken before the Lord Mayor of *York* for a further Teſtimony and Confirmation of what is here ſet down.

On Wedneſday the Sixteenth of *September* 1690, The Criminal *William Barwick* was brought to his Trial before the Honorable Sir *John Powel*, Knight, one of the Judges of the *Northern* Circuit, at the Aſſizes holden at *York*, where the Priſoner pleaded not guilty to his Indictment: But upon the Evidence of *Thomas Lofthouſe*, and his Wife, and a Third Perſon, That the Woman was found Buried in her Cloaths in the *Cloſe* by the *Pond-ſide*, agreeable to the Priſoner's Confeſſion, and that ſhe had ſeveral Bruiſes on her Head, occaſioned by the Blows the *Murderer* had given her to keep her under Water: and upon Reading the Priſoner's Confeſſion before the Lord Mayor of *York*, attеſted by the *Clerk*, who wrote the Confeſſion, and who ſwore the Priſoner's owning and ſigning it for Truth, he was found Guilty, and Sentenced to death, and afterwards ordered to be hang'd in Chains.

All the Defence which the Priſoner made, was only this, That he was threatned into the Confeſſion that he had made, and was in ſuch a Conſternation, that he did not know what he ſaid or did. But then it was ſworn by Two Witneſſes, that there was no ſuch thing as any Threatning made uſe of; but that he made a Free and Voluntary Confeſſion, only with this Addition at firſt; That he told the Lord Mayor, he had ſold his Wife for Five Shillings: But not being able to name either the Perſon or the Place where ſhe might be produc'd, that was look'd upon as too frivolous to out-weigh Circumſtances, that were Proofs too apparent.

The

Information of *Thomas Lofthouſe*, of *Ruſforth*, taken upon Oath the Twentyfourth Day of *April* 1690;

WHO ſayeth and depoſeth, That one William Barwick, *who lately Married this Informant's Wifes Siſter came to this Informant's Houſe, about the Fourteenth inſtant, and told this Informant, he had carried his Wife to one* Richard Harriſon's *Houſe in* Selby, *who was Unkle to him, and would take care of her; and this Informant hearing nothing of the ſaid* Barwick's *Wife, his ſaid Siſter-in-Law, immagined he had done her ſome miſchief, did Yeſterday go to the ſaid* Harriſon's *Houſe in* Selby, *where he ſaid he had carried her to; And the ſaid* Harriſon *told this Informant, he knew nothing of the ſaid* Barwick, *or his Wife, and this Informant doth verily believe the ſaid* Barwick *to have* Murdered *her*;

Thomas Lofthouſe.

*Jurat die & Anno ſuper dicto coram me,*

S. Dawſon, *Mayor.*

The Examination of the ſaid *William Barwick*, taken the Day and Year aboveſaid,

WHO ſayeth and Confeſſeth, *That he this Examinant, on Monday was Seventh night. about Two of the Clock in the Afternoon, his Examinant was walking in a* Cloſe, *betwixt* Cawood *and* Wiſtow; *and he farther ſayeth, that he threw his ſaid Wife into the* Pond, *where ſhe was drown'd, and the day following towards the Evening, got a* Hay-ſpade *at a* Hay-ſtake *in the ſaid* Cloſe, *and made a Grave beſide the ſaid* Pond, *and Buried her*;

William Barwick.

*Exam. capt. die & Anno ſuper dict. coram me,*

S. Dawſon, *Mayor.*

The Examination of *William Barwick*, taken the Twenty fifth day of *April* 1690,

WHO ſayeth and confeſſeth, *That he carried his Wife over a certain Wain-Bridge, called* Biſhopdike-bridge, *betwixt* Cawood *and* Sherburn; *and within a Lane about One Hundred Yards from the ſaid Bridge, and on the Left-hand of the ſaid Bridge, he and his Wife went over a Stile, on the Left-hand of a certain Gate, entring into a certain* Cloſe, *on the Left-hand of the ſaid Lane; and in a* Pond *in the ſaid* Cloſe, *adjoyning to a* Quick-wood-hedge, *did Drown his Wife, and upon the Bank of the ſaid* Pond, *did Bury her: And further, that he was within ſight of* Cawood Caſtle, *on the Left-hand; and that there was but one Hedge betwixt the ſaid* Cloſe, *where he Drown'd his ſaid Wife, and the Biſhop-ſtates belonging to the ſaid* Caſtle;

William Barwick.

*Exam. capt. die & Anno ſuper dict. coram me,*

S. Dawſon, *Mayor.*

On Tueſday *September* the Seventeenth 1690, at *York* Aſſizes.

THomas Lofthouſe *of* Ruſforth, *within Three Miles of* York City, *ſayeth that on* Eaſter Tueſday *laſt, about Half an Hour after Twelve of the Clock, in the day time, he was Watering Quickwood, and as he was going for the ſecond Pail, there appeared walking before him, an* Appariton *in the Shape of a Woman, ſoon after ſhe ſat down over againſt the* Pond, *on a* Green-Hill, *he walked by her as he went to the* Pond, *and as he came with the Pail of Water from the* Pond, *looking ſide-ways to ſee if ſhe ſat in the ſame Place, which he ſaw ſhe did; and had on her Lap ſomething like a White Bag, a dandling of it (as he thought) which he did not obſerve before: After he had emptied his Pail of Water, he ſtood in his Yard, to ſee if he could ſee her again; but could not: He ſays her Apparel was Brown Cloaths, Waſte-coat and Petticoat, a White hood, ſuch as his Wifes Siſter uſually wore, and her Face looked extream Pale, her Teeth in ſight, no Gums appearing, her Viſage being like his Wifes Siſter, and Wife to* William Barwick.

*Signed*
Thomas Lofthouſe.

The

THE Second was a *Murder* commited by one *Edward Mangall*, upon the Body of *Elizabeth Johnſon* alias *Ringroſe*, the Fourth of *September* laſt paſt, at a Place called *King's Cawſey*, near *Adling fleet*, in the County of *York*. He had got her with Child, at leſt as ſhe pretended; and was brought to Bed of a Boy, which ſhe called *William*, and laid him to *Mangall's* Charge, and required him to Marry her: which he refuſed at firſt to do; but afterwards pretending to make her his Wife, bid her go before him down *Kings Cawſey*, towards the Church, and he would follow her, as he did; but knock'd out her Brains in a *Cloſe* by the Way, and at the ſame time, as was ſtrongly ſuſpected, Kill'd the Child.

This *Mangall* being Examined by Mr. *Wilkam Maulevere* the *Coroner* confeſſed that he had *Murder'd* the Woman; but denied that he meddl'd with the Boy. And being ask'd why he *Murder'd* the Woman, he made anſwer that the Devil put him upon it; appearing to him in a *Flaſh* of *Lightning*, and directing him where to find the *Club*, wherewith he committed the *Murder*. So ready is the Devil with his Temptations, when he find a Temper eaſie to work upon.

He was Convicted and found Guilty upon the Evidence of *Ann Hinde*, and his own Confeſſion to the *Coroner*, as may be ſeen by the Information annexed; and was thereupon Sentenced to death, and order'd to be Hang'd in Chains, as *Berwick* was before him, he making no Defence for himſelf for ſo Foul and Horrid a *Murder*, but that he was tempted thereto by the Devil.

*Informations taken upon Oath*, September *the* 10*th* 1690.

The Information of *Ann Hinde*, Wife of *James Hinde*, of *Adling-fleet*, in the County of *York*, Husband-man, upon her Oath ſaith;

THAT on Monday, *the firſt of* September, one Elizabeth Johnſon, *alias* Ringroſe, *came to her Houſe in the Evening, with a Child ſhe called* William; *and the ſaid* Elizabeth *the next Day told this* Deponent, *That the ſaid* Elizabeth *was going to* Gawthrope, *in the County of* Lincoln, *to ſeek for one* Edward Mangall, *who had got her with that Child, to ſee if he would Marry her: Upon which this* Deponent *went with the ſaid* Elizabeth, *to perſwade him to Marry her; but he denied having any dealings with her. But this* Deponent *doth further Depoſe, That the fourth of* September, *the ſaid* Edward *came to this* Deponents *Houſe, and aſked for the ſaid* Elizabeth; *if ſhe were there ſhe might ſerve a Warrant on him, if ſhe had one, for he was going to* Rawclyff, *to conſult his Friends about it; and after ſome private Diſcourſe had betwixt the ſaid* Edward *and the ſaid* Elizabeth, *the ſaid* Elizabeth *told this* Deponent, *that he ſaid, The ſaid* Elizabeth *might go down* King's-Cawley, *and he would follow her, and Marry her: And this* Deponent *did ſee the ſaid* Elizabeth *go down* King's-Cawley; *and a little after this* Deponent *ſaw the ſaid* Edward *alſo go down the* King's-Cawley; *and after that, this* Deponent *did not ſee the ſaid* Elizabeth, *nor the ſaid Child till ſhe ſaw them lye dead.*

Ann Hinde.

*Capt.* 10. *die* Septembris 1690.

*By me*

W. Maulevere.

*Un. Coron. Commiſ. prædict.*

THE *Examination of* Edward Mangall, *upon the* Murder *of* Elizabeth Johnſon *alias* Ringroſe, *taken before me* William Maulevere *Gent. one of the* Coroners *of Our Soveraign Lord and Lady King* William *and Queen* Mary, *&c.*

THE *ſaid* Edward Mangall *did confeſs, that he did* Murder *the ſaid* Elizabeth Johnſon *alias* Ringroſe, *upon the Fourth Day of* September *inſtant, in a* Cloſe *nigh to* King's Cauſey, *he being aſked the Reaſon, ſaid the Devil put him upon it, appearing to him in a Flaſh of Lightning; but denied that he meddled with* William Johnſon *alias* Ringroſe *the Child.*

*Taken the* 10*th of* September 1690.

*By me*

W. Maulevere, *Coroner.*

*FINIS.*

*LONDON*, Printed for *Iſaac Cleave* at the *Star*, next to *Serjeants-Inn* in *Chancery-Lane*.

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# A Full Account of the TRYAL OF GODFREY CROSS FOR High-Treason,

In adhering to the King and Queen's Enemies, by giving Intelligence to the French Fleet; as alſo in endeavouring to Depoſe them of their Royal Crown and Dignity, by raiſing Rebellion and Diſcord amongſt their Majeſties Leige Subjects, *&c.* At the *King's Bench Bar* at *Weſtminſter*, on *Friday* the 21*ſt* Day of *November*, *annoque Dom.* 1690.

THE Court being ſet, about ten a Clock the Marſhal of the *King's Bench* Priſon was commanded to bring his Priſoner to the Bar; which was done: And the Priſoner being commanded to hold up his Hand, the Jurors were called over; out of which number were ſworn theſe Gentlemen whoſe Names are underwritten, *viz.*

| | |
|---|---|
| *John Buggins* | *Thomas Jeffery* |
| *Francis Farnaby* | *Edmund Davenport* |
| *Edward King* | *John Kenward* |
| *John Culpepper* | *William Selby* |
| *James Perley* | *Edward Manley*, Eſquires, |
| *Bonnam Hays* | *William Dry*, Gent. |

After which an Indictment of High-Treaſon was read againſt him: Which ſet forth, *That he being a Perſon of very Evil Fame, did Traiterouſly, Falſly, Maliciouſly and Deviliſhly Adhere to, Aid, Abet, and Comfort the King and Queens Enemies that now is: And did (of his Malice, before thought) endeavour our Sovereign Lord and Lady the King and Queen to final Death and Deſtruction to bring, and to raiſe War and Rebellion among the Subjects of our Sovereign Lord and Lady the King and Queen that now is, within this Kingdom of* England *and elſewhere*, &c.

*And to Accompliſh and Bring thoſe his Treaſonable, Falſe, Malicious and Deviliſh Practices and Purpoſes to paſs, did, on the* 6th *Day of* July, *in the ſecond Year of their Majeſties Reign, in the County of* Kent, *convey himſelf on Board of ſeveral Ships belonging to the* French Fleet, *which were then riding not far off from the Town of* Lidd *in* Kent: *And there had held Correſpondence with them, particularly with Sir* William Jennings, *their Commander in Chief of the French Admiral; from whom he brought Letters of Invitation to ſome Perſons here in* England, *To come on Board him: And carried Intelligence to them of the ſtate of affairs here, againſt the Duty of his Allegiance, and againſt the Form of the Statute in that Caſe made and provided*, &c. To all which Charge he had before pleaded Not Guilty.

Then the King's Councel proceeded to open the Matter of Fact, and the horrid Nature of it, to the Gentlemen of the Jury; giving them to underſtand, That he was Indicted for a Crime of a very high nature, (Firſt) For adhering to the French King, who was an open and profeſſed Enemy to this Nation; which did find him to be guilty of a manifeſt Intention to deſtroy it, and to bring the King and his Subjects under the Power and Dominion of the French King: Notwithſtanding the great Charges and Trouble the preſent King of *England* hath been at to reduce it, and to detect all their Villanies, in that Vigorous and Unwearied Attempt that he is ſtill making againſt the Common Enemy. And that the French did not altogether truſt to their own Power and Strength, but they expected Correſpondent Helps from the King's Enemies: Amongſt which perfideous ſort of Men this Priſoner at the Bar appeared.

And furthermore the Priſoner at the Bar, on the 6*th* of *July* laſt, at the Town of *Lidd* aforeſaid, about ſeven a Clock in the Morning, did appear on Horſeback near the Water ſide, within View of the French Fleet; and a Sloop coming near the Shoar, he waved his Hat as a Token or Sign to them to come nearer; then they ſent out their Long boat, he riding his Mare up to the Belly in Water to the Boat-ſide, and went into the Boat, quiting his Mare, *&c.* at which the Priſoner ſeemed to laugh: But the King's Councel told him, That it was no laughing Matter, or to that effect. The Councel further declared the Aggravation of his Crime; How that he being one of the King's Natural and True born Subjects of this Kingdom, inſtead of taking up Arms for the King and Queen, as by the Duty of his Allegiance he ought to have done, he goes on Board the French Fleet and carries Intelligence to them of the ſtate of Affairs here in *England*; and brings back Letters and Notes c

Invitations

Invitations and Intelligence to others, to joyn with him in his Traiterous, Devilish Designs, and Wicked Encompassings and Imaginations; which did particularly tend to the Deposing of the King and Queen, and that the People of *England* should be no longer a People. So that surely the thing it self, viz. His going on Board the French Fleet, was Evidence enough, beyond all Papers, or any thing else that could be brought against him; but to clear all Doubts there were several Good Evidence produced to prove the Matter of Fact more fully upon him, the first of which was one *Stephen Shaw*, who declared upon Oath,

That he saw him ride into the Water up to the Mare's Belly, and go to the Boat, to some French Men, who were coming towards the Shoar, having before waved his Hat, and hallooed towards them; and that he turned his Mare loose, and a Grey-hound that followed him; which were afterwards found upon the Shoar. This Witness swore positively that he saw him do all this, and that he was the same Man that went into the Boat; and that it made up to the nearest Ship.

There was a second Evidence called, who declared, after being sworn, That he was upon the Watch, on the 6th of this Instant, over against the Body of the French Fleet, where they saw a small Man of War put out a Long-Boat, making towards the Shoar; whilst they were gone to give Intelligence of it, the Boat had taken in the Prisoner, and his Grey-hound lay upon the Sea Shoar, and the Mare was loose, which he and three more Men took up and carried to *Lidd*: And that he knew the Mare to be *Croft*'s Mare, and the Dog to be his also: And that the Mare had lately been in the Water, for that she was wet; and was ready to sweat and ridden: And when they came to *Croft*'s House, he was not at home, his Servant telling them, That his Master rode out upon the Mare that Morning, &c.

Another Witness, being sworn, deposed to the same effect, confirming the Truth of what the former had declared, as to the Boat coming ashoar, and the Mare and Dog being found loose, after the Prisoner was gone on Board the French Ships: And that he saw the Boat come exactly from the Fleet: As also that the Mare and Dog were *Croft*'s own Goods: And that he rode out upon the Mare that Morning: And that the Boat came within a Musquet Shot of the Shoar, and went directly to the French Fleet.

There were others that swore to the same effect as the former, so shall give no further account of them, but proceed to another, which indeed was one of the most material to bring the Matter home upon the Prisoner: Who being sworn for the King, deposed,

That he was informed by some who were on the Top of the Steeple, That they saw the Boat coming from the Fleet ashoar, and a Man landed about twelve a Clock at Noon, on the said 6th of *July*; and afterwards coming himself, he visited the Town, and coming to the Sea side he found it to be *Croft Croft*, the Prisoner at the Bar; whom he took at some Rods Distance from the Shoar, and said to him; *Neighbour Croft is not this a shameful thing of you, to go a Board of an Enemy? Did you go to give Intelligence how our Towns stood? Or did you go to carry Letters?* Upon which the Prisoner gave him very abusive Language, and said, *You are a Dog, what have you to do?* &c. After which he was seized and and carried to *Lidd*, and examined by the Bayliff, not denying the Matter charged against him: Nor that he had not been on Board the Fleet; but complained that he had lost his Mare. Which was confirmed also by another Witness, that help'd to apprehend him; and that he had given a Crown to the Boatman that set him a Shoar; and that he had been a Board three or four Vessels of the French Fleet.

There were two other Evidence, who gave account of his Examination, and that he did own to have been on Board the French Fleet: And that he had brought two Letters from on Board the French Admiral, written by Sir *William Jennings*, which were found about him: The first was directed to one Mr. *Bryant Bowles* of *Dover*, the other to one Mr. *Thomas Fisher* at *Dover*; Sealed on Board the French Admiral, and Signed by Sir *William Jennings*: The Contents of them were both to the same purport, viz. *To desire any of their Majesties Subjects to come on Board the Fleet; and if they did, they promised liberty to go back, for they came not to hurt any person, but to protect all Loyal Subjects, and to fight Rebellious ones: For that the Fleet was as much the King of* England's *as ever it was the French King's*, &c.

The Prisoner being ask'd, What he had to say in his Defence against so home a Charge, answered, That he had but little to say; but that he had always been a true Protestant, and a Church of *England*-Man, (as he himself termed it) and never did nor intended any harm to any one: And that he had done no damnage, so was willing to submit to the Judgment of the Court. Although when he was apprehended he pretended that he rode into the Water to look after some Boards that were floating there; and the Men in the Boat asked him to drink a Dram, which he did: And after two of the Men forced him off his Horse into the Boat; but was looked upon as a feigned Excuse.

But in the Conclusion a further Proof was brought against him, which was omitted through inadvertency, viz. That when he was on Board the French Admiral, Sir *William Jennings* asked him, In what Posture the Nation was? to which he, the Prisoner replyed, That for the Town, they had affrighted the People all out of it; and the rest were making provision for themselves: Or Words to the like effect, &c.

The King's Council, after this, made several Reflection upon the heinousness of the Crime, and that his going on Board to the King's Enemies Fleet, and giving them Intelligence, was a manifest Token of his adhering to them, so consequently must be found High Treason, although the Court seemed to be of the contrary Opinion at the first, and that it was but a Misdemeanour: But after the Council had pleaded it further, the Lord Chief Justice summ'd up the Evidence, in a particular and distinct Manner, to the Gentlemen of the Jury, telling them, That if they did believe that he went voluntarily on Board, and did bring those Letters from Sir *William Jennings*; and that they were to perswade Men to forsake their Allegiance; and to endeavour to restore the late King; and to assist all those that were for the Late King: Then they must find him Guilty. But if he did this ignorantly, and not to seduce the King's Subjects from their Allegiance, then they must find him Not Guilty. &c.

After which the Jury withdrew for the space of about a quarter of an Hour, and returning they brought him Guilty of High-Treason.

*Licensed*, November 22*d* 1690.

*LONDON*, Printed for *Langley Curtiss* near *Fleet-bridge*. 1690.

*An Account of the Behaviour, Confession and last dying Speech of Sir* John Johnſon, *who was Executed at* Tyburn, *on* Tueſday *the* 23*d. day of* December, anno Dom. 1690. *For Stealing of* Mrs. Mary Wharton, *in Company of Captain* Jam. Campbel *and* Archibald Montgomery, *Sate fled.*

ON *Tueſday* Morning, about 11 a Clock, the Priſoner was conveyed in a Mourning Coach to the place of Execution, attended by two worthy Divines of the *Church of England*, as alſo by one Gentleman, who was his Friend, beſides a Hearſe to bring back the Body, in order to its being interred: Being put into a Cart, out of the Coach, he ſpake to this effect,

Gentlemen, I ſuppoſe you are not ignorant for what I am brought here to dye, which is for being Acceſſary or Conſenting to the Stealing of Mrs. *Mary Wharton*, in company of Captain *James Campbel*, and one Mr. *Montgomery*: But, Gentlemen, I ſaw nothing in the whole Affair but what I thought was Juſtifiable by the Laws of this Kingdom, yet it hath pleaſed the Laws of this this Kingdom to find me Guilty; which Laws I was before ignorant of, as to this Caſe. Gentlemen, I ſhall not have time to talk of the Ignorance I have been bred up in, I never was bred at Court, neither have I been a Scholar but a Soldier, and indeed there is little Learning to be found in ſuch who have been bred in the Army.

Gentlemen, on *Friday* the 10*th* of *November* one Mr. *Montgomery* and Captain *Campbel*, came to my Lodging, with an Haunch of Veniſon, and Mr. *Montgomery* told me, That it was to treat one Madam *Bierly* and her Daughter, Perſons that I never ſaw before; yet I was perſwaded by them to be a Witneſs to this Marriage. Then we went to a Coffee houſe, and drank two Bottles of Mum, but ſaid nothing material to this Point there, as I can remember of. Then we parted, and I met them both at a Coffee-houſe near to Mr. *Montgomery*'s Lodging at 6 a Clock at Night, where was C. *Campbel*; a little after came in Mr. *Montgomery*, and clap'd his Hand on Captain *Cambel*'s Shoulder, ſaying, The Buſineſs is done. Then about 9 a Clock, or a little after 8, I do not know exactly, Madam *Bierly*'s Coach came and carried them away. Then Capt. *Campbel* called his Coach and 6 Horſes, and ordered the Coachman to drive to *Queen-ſtreet*, and there it ſtopp'd; and the young Lady was brought into the Coach, and ſhe was very Voluntary, Frank and Free, and began to ask Capt. *Campbel*, If he was the ſecond Brother of the Lord *Argile*? What his Anſwer was I am not poſitive, but he told him, That ſhe knew ſeveral of his Brothers, and that my Lord *Argile* was married to the Dutcheſs of *Lauderdale*'s Daughter: And this made me think, That this muſt have been with a Voluntary Conſent, viz. to marry this Gentleman.

When we came to the Coachman's Houſe (for I knew nothing where I was going) Capt. *Campbel* led her up Stairs, and ſhe went with all the Freedom that a Woman could, or is poſſible to be expreſſed: Then they came before the Parſon, and the Parſon declared in Court, That they themſelves ſpake to her, That there ſhould be no Force uſed, but that ſhe did it wholly by her own Conſent. Well, when the Ceremony came to be adminiſtred, ſhe ſpoke the Words with ſuch a loud Voice, that there was none in the Room but what could hear her: After this ſhe found ſome Fault with the Wedding Ring, which was too big, ſays Capt. *Campbel* [illegible] will have it changed: No, ſays ſhe, I will [illegible] is not lucky to change a Wedding Ring [illegible] then ſhe had a Ribbon to make it leſs, and then [illegible] put it on again. Then we ſupped, and after Supper the Parſon [illegible] it is not [illegible] go to Bed; and ſhe ſaid yes, with all her Heart, and [illegible] and very gay. At this [illegible] drank the Gentlewoman, and ſay what fine the Lady [illegible] was in Bed we came in with him, and ſhe went into Bed to her: and after the uſual Ceremonies upon theſe occaſions were ended, we left them, and indeed I ſaw nothing in her Deportment but was frank and free, but for the inward Thoughts of her Heart, what they were I could not tell. In the Morning ſhe ſaid that ſhe reſted very well: Then, I think, I did adviſe her and the Company, That ſhe ſhould write a Letter to her Aunt, that ſhe might not take care for her; ſhe took the Pen and Ink and writ theſe Words,

*Dear Aunt,*

*Pray be not troubled nor take no Care for me, for I am very well with my Husband Captain* James Campbel, *and in a ſhort time I will bring him to wait upon you.*

Then Mr. *Montgomery* asked her, if ſhe would dine at *Pontacks*; no, ſays ſhe, I had rather go to my new Lodging: Mr. *Montgomery* ſaid, you had better go to *Pontacks*. Gentlemen, I think here is none here but knows *Pontacks*, it is one of the greateſt Ordinaries in *England*. We took Coach about 10 or 11 a Clock, Mr. *Montgomery* told her, That his Wife ſhould come and dine with her; and, ſays he, drive to *Pontacks* and I will be with you preſently, and bring my Wife with me, but he did not come preſently, ſo *Pontacks* asked us if we would have the Dinner, becauſe it would be ſpoiled; ſo we had it, and when we began to eat Mr. *Montgomery* came in, and made his Apology, that his Wife could not come.

All the while I perceived no alteration in her Behaviour: So after Dinner they went and took a new Lodging in *Newgate ſtreet*, but I did not know of it till afterwards, [illegible] was a great while gone, at laſt ſhe ſaid, What, has Mr. *Montgomery* left me, and will not his Wife come near me? and then ſhe began to be a little concerned, but after ſhe was better, and then we went to her Lodging in *Newgate ſtreet*, and there was every thing in good Order, and we went to Cards at Lanſquenet for 2 or 3 Dozen; and then at Night it was aſk'd her if ſhe would go to bed, and ſhe readily conſented: This was the ſecond Night, and I opened the Curtains and look'd upon her, and ſaw nothing of any diſcompoſure in her, but an equal Satisfaction in both their Faces.

The next Morning my Lord Chief Juſtice's Order came out to take Mrs *Wharton*, wherever ſhe could be had; then the Landlord told Captain *Campbel* of it, That there was a Meſſage came to him for his Wife: then it was after adviſed that we ſhould retire, and I put on my Cloaths and came down Stairs, and found Captain *Campbel* gone, and ſhe was dreſſing her ſelf, but I ſaw no Concern in her; then I went to a Coffee-houſe, and ſmoaked a Pipe, and then came back again, and found that ſhe was carried away. And Gentlemen, take notice of this, pray now, what ſhe ſaid to the Landlord before ſhe went; *'Tis true*, ſays ſhe, *that what I have done is by my own Conſent, but, however, I cannot love him, and therefore will not live with him, but I will not hurt one Hair of any of their Heads.* Then the Gentleman of the Apothecary in *Newgate ſtreet*, told me himſelf [illegible] day after this I ſent one Mr. A[illegible] to my Landlord's Houſe (meaning the Apothecary) to fetch me out ſome Linen out of my Chamber, and he, when he came back, ſaid that there was no Maid at home: Then ſays I, I may go there and take out ſome Linnen my ſelf: So I went to the Houſe, and ſaw my Landlord and Landlady, with all imaginable Expreſſions

And

Kindes's. That I should do it; but when I went in I was immediately taken by the Constables there. This is the Truth in what as I can speak it. Gentlemen, I tell you, as I am a Dying Man, that I never saw any thing done by force, neither was there any Intentions to force any thing upon this Gentlewoman contrary to her own Inclinations: But indeed it is true I was a Stranger to the Laws of *England*, which says, *That an Accessary shall be found guilty as well as the Principal.*

Here he stopp'd a little, the Divines speaking to him ——— then went on.

Gentlemen, I had forgot one thing until these Reverend Divines put me in mind of it: Mr. *Attorney* told me, That he would affure me there should no Damage fall upon me in the whole matter, when I was invited to the Wedding. I told him, That if I thought there were any Evil Designs in it, I would sacrifice my self before I would have any Hand in it.

Now Gentlemen, give me leave to give you a little Hint of the Hardships that I have met with since my Imprisonment, though, by the way, I do not at all reflect upon the good Constitutions of the Laws of this Land, nor upon the King, Judges nor Jury, but only to some Passages that occurred upon my Tryal.

First, When I was brought before the Judges, I subpena'd in Mrs. *C.* and her Maid, who knew the thing before I knew of it, when I brought them in, as to be Witnesses for me, they were immediately indicted and brought in as Criminals, so that their Evidence could not avail any ways for me. And more, which is a little hard, the Coachman was brought in, and they Acquitted him to bring in his Wife a Witness against me, this is hard.

Now, Gentlemen, there is another Hardship, though not equivolent to this, When Mrs. *Campbel* was sick, that was not taken notice of, but when *Pemack* was brought to witness. That there was no Force at all used to that Lady, *Pemack*, (I pray God forgive him, I freely and heartily do) then said, That he saw a Discomposure in her Face: which I take God to witness, that I saw no such thing, and when this Man came in, he declared quite contrary: Nay, the Serjeant at Law stood up and said, What? I warrant you are a Scotchman. Yes, says I. Yes, says he, I thought so. So that I say, why should a Man meet with that Hardship because he is a Stranger or an Outlandish Man? And I cannot call my self an Outlandish Man because I am the King's Subject. I desire, Gentlemen, that you would take this as from a Dying Man, I speak it because I would not bring a Disgrace upon my Family and I desire that you would consider of all the Tryals that I have met with; not that I do (as I told you before) find any fault, or any ways arraign the Constitution of the Law or Justice of the Nation, no I would not do that by any means.

And Sirs, in the Printed Papers they have wronged me, and have done me a great deal of Injury in them, for they accuse me, that I should commit a Rape in *Oxford*: Woodcat, I know not, God forgive them. I will declare the Truth how it was. I was going to the Castle at *Chester*, in the Night-time, I found a Man and a Woman in the way, and I said to one of my Footmen, That it might be that these were some of the Persons that broke into my Stables at their Posts for my Safety were not to be made known, this provoked me to endeavour to seize this Man, but I could not catch him, then I ordered my Sentry so to take care of the Woman that Morning, that she should be one of them that did guide my Sentries: The next Morning he told me, That the Man made Submission to Mr. *Hall*, but some time after, about Whitsontide, I remember, but it was a more convenient time than the Laws of *England* provide in that Case, for the Law says, *That if a Woman is ravished she must cry out*, but this she did not do for many Days after, till I was gone to *London*, and then she swore a Rape against me. When I heard of it I writ to my Lieutenant to bring in proof that I never did any such thing to her: After which I went to *Chester*, and finding it true, I ordered Post-horses to be made ready to come to complain to the King of the Injustice that I had done me in this Case: Then she said, If she had a little Money to carry her to *Ireland*, she would clear me in this Case, and declare the Truth; then I gave her 5l. to declare the Truth, which she gave under her Hand, and the next Day I presented this to the Mayor, and I desired the Laws might be put in execution against her, but she was gone. Gentlemen, this is Truth, concerning this Rape, that I never had any Hand in such a thing.

There is another thing out that they have thrown upon me, and that is, That I should be concerned in such another thing as this in *Holland*: Gentlemen, there is one Mr. *Sayers* by name, Servant to one Mr. *Swinford*, he was in the same Town with me, in *Utrecht*, 6 Months, he and many more will justifie me as to this, That the World have injur'd me, and done me much wrong.

Gentlemen, I must now exhort you to be careful for the Salvation of your own Precious Souls. Gentlemen, he that has been bred a Soldier has not lived so strict to the Rules of Christianity as some other Men, I must confess, *That I have left undone those things which I ought to have done; and I have done those things which I ought not to have done*: But however, Gentlemen, let me intreat you, yea all of you, *That you would remember your latter end*; I pray God that none of you all may come to an untimely end; yet remember that you must come to an End, your Time must have a Period. I bless God my Life and Conversation has not been so odious and obnoxious to the World, nor, (I hope) in the Sight of God, but that I have Confidence in his Mercy; and I hope that those Divines that have been with me can justifie, That there is nothing that hath come from me, but what hath proceeded from a true and a penitent Heart; and I beg that you would offer up your Prayers to the Throne of Grace for me, because no Man can say that he does not want the Prayers of the Righteous, for God bids all Men *to pray and not to faint.*

Well Gentlemen, he that made Heaven and Earth keep and defend you from all Misfortunes, from the Power of Death and Hell, and then you need not fear, for Christ is able to save to the uttermost, all that come to him, therefore offer up your Prayers, not only for your selves, but for me who is a Dying Man.

Then the Ministers prayed with him, afterwards he prayed privately, without Book, for himself, then he read two Prayers out of a Book, entituled, *A Form of Prayer for Prisoners*, and then he read the 51, and 109. *Psalms*; then he prayed again for himself, and afterwards stood up, and put on his Cap himself; after the Rope was about his Neck and fastned to the Tree, he took his final Leave of all the Spectators in a most humble manner, recommending them to the Merciful Protection of Almighty God, desiring the continuance of their Prayers to the last Breath, hoping they would be so charitable as to joyn with him, because the Prayers of the Faithful were of great Efficacy, and availed much.

And indeed in all his whole Deportment, from the Prison hither, and in the time of his being there, he behaved himself with great Humility towards God, and very exemplary towards all; which drew great Lamentations and Compassion concerning to see a Person, [illegible] should thus untimely come to his End.

After he had given the Signal the Cart drew away, the Prisoner praying to God, and holding up his Hands some small time after the Cart was gone away.

LONDON, Printed for [illegible] near *Fleet-bridge*. 1690.

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# THE PROCEEDINGS ON THE King and Queens Commissions OF THE

## Peace, and *Oyer* and *Terminer*, and *Gaol-Delivery* of *Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex*, at *Justice-Hall* in the *OLD-BAILY*.

On *Thursday*, *Friday*, *Saturday* and *Munday*, being the 15*th*, 16*th*, 17*th*, and 19*th* Days of *January*, 1690. *And in the Second Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, *Oyer* and *Terminer*, and Gaol Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Thursday*, *Friday*, *Saturday* and *Monday*, being the 15*th*, 16*th*, 17*th*, and 19*th* Days of *December*, 1690. Before the Right Honourable Sir *Thomas Pilkington*, Kt. Lord Mayor of the City of *London*, and Mr. Deputy-Recorder, with several others of Their Majesties Justices for the City of *London*, and the County of *Middlesex*.

*The Jurors were as follow:*

| London Jury, | Middlesex Jury, |
|---|---|
| *James Wood* | *Richard Bealing* |
| *James Smith* | *Stephen Lawrence* |
| *Caleb Smith* | *John Holding* |
| *Thomas Jenny* | *Giles Burrows* |
| *William Dodd* | *Ambrose Hemborrow* |
| *John Grosvenor* | *Nicholas Rufford* |
| *Robert Bathoe* | *Joseph Taylour* |
| *Robert Peck* | *Moses Collwell* |
| *Alexander Pellington* | *Richard Rose* |
| *William Denny* | *Richard Campion* |
| *Gilbert Hawton* | *Thomas Cox* |
| *Henry Robinson* | *Henry Jerrot* |

*The Proceedings were these:*

*John Bialose*, of the Parish of S. *Dunstans in the West*, was tryed for Felony and Burglary, in breaking the House of *Richard Longford* Gent. on the 15*th* of *December* last, with an Intention not only to rob him, but to take away his Life, as was evidenced thus: Mr. *Longford* being his Master, he sent him out to receive a certain Sum of Mony, namely 5 l. which was due his Master by the Prisoners Father, the prisoner being wont to do it, being his eldest Clark, but happening to imbezle it, he was in a great strait how to answer the same to his said Master; for the encompassing of which he first endeavoured to rob his Study; but failing in that, he attempted to murther him, by getting into his Master's Chamber, about one a Clock in the Night, and first feeling with his Hand whether he was asleep, after a Time, having a Penknife in his Hand, he struck it into Mr. *Longford*'s Neck, about an Inch deep; after which Mr. *Longford* got up and struggled with him; the Prisoner getting his Sword made several Passes at his Master: After this he prick'd him in the Breast and cut his Hands, and gave him a Wound on his left-Side: but at last Mr. *Longford* crying out Thieves, the prisoner surrendred himself to him, falling on his Knees, and telling him that he was his Man *Bialose*, and being carried before the Lord Chief Justice, he ingeniously confessed the whole Fact; as he did also upon his Tryal, having great Remorse of Conscience for his so notorious a Crime, being (as he himself said) under strong Temptations by the Common Enemy of Mankind, and that he must be stupendiously presumptuous that would go about to abuse so good a Master, and could not be without Remorse, for he was grievously ashamed to express his Confession of so horrid a Crime, seeming very Pensive, &c. At last he was found Guilty both of Felony and Burglary.

*H——F——* was Indicted for Felony and Burglary, in stealing 30 Swords with Silver Hilts, value 80 l. and 14 l. in Money, on the 3*d* of *November* last. The Evidence was *Richard Savadge*, who lost the Goods out of his Shop in in *Exchange-Alley*, some of which Swords were found in a Trunk where the Prisoner lodged, and that the Prisoner owned that he had bought them of a Woman (when he was taken) for 3 Guineas: All which was fully proved against him. He called several Witnesses for his Credit, but that did not avail him. He could give but a slender Account of himself, so he was found Guilty of the Charge against him.

*Anne Walters* was tryed for stealing a Rose-Diamond set in Silver, value 400 l. from *Moses Mokato* a Jew; who, after being sworn upon the Old Testament, declared, That the Prisoner was hired to be a Nurse in his House, where having lived about a Month, she went away, her Mrs and her having some small falling out: after she was gone, the Prosecutor missed his Diamond: But the Evidence was but Presumptuous, so she was Acquitted.

*Joseph Trant* and *Sarah Rate*, were both tryed for Felony and Burglary, in breaking the Dwelling House of *William Williams*, in the Parish of S. *Clements Danes*, on the 26*th* of *December* last, and stealing a Silk-Petticoat quilted, value 4 l. a Silk-Twilight 10 s. a Night Gown, value 3 l. and some other Things of good value, the Goods of *Alathea Ward* Widow. The Evidence deposed, That the Garret Window was broken open, and the Goods were taken out of a Trunk and two Boxes, which were found broke open; some of which Goods were found in the House of one Mrs. *L——*, a Prisoner in *Newgate*: Who said That *Trant* brought them to her. But there being some Defect in the Indictment, an Amendment was ordered to be made: And they being called again, *Trant* was found Guilty of Felony and Burglary, but the Woman was Acquitted.

*John Jeffon*, was Tryed for ſtealing 5000. Bricks, value 5 l. the Goods of *William Peryll*, the Evidence declared that he had ſeveral times loſt his Bricks, but he could ſwear but to 10. that the Priſoner confeſt he took before the Juſtice; yet the Jury were ſo favourable as to acquit him.

*Ann Webb*, was Indicted for ſtealing a Gold Wedding Ring, from the Wife of *Leonard Bickery*, on the 21. of *Decemb.* *Bickery*'s Wife ſaid, That ſhe met her coming out of her Cloſet, where the Ring was, the Key being left in the door, and after ſhe miſt it; the Priſoner denyed it ſtiffly at her Tryal, and ſome Witneſſes were produced for the Priſoner, who endeavoured to have the Court believe it to be Malice in the Proſecutor, and ſaid that ſhe had always lived honeſt and took great pains for her livelihood, ſhe was acquitted.

*Elizabeth Read*, was Tryed for ſtealing 5 *l.* in Mony from one *Matthew Rymer*, on the 9th of this Inſtant *January*. The Priſoner was but a young Girle, who was a Servant to the Proſecutor, and did confeſs (being taxed by her Maſter) that ſhe had taken away the Mony all in a lump, as ſhe called it, and had given it to a tall luſty Man; but ſhe denyed it at her Tryal, and ſaid that ſhe did not know what ſhe did; and had ſome Evidence that gave a favourable account of her former Education, yet notwithſtanding ſhe was found Guilty of Felony.

*Elizabeth Bannifter*, was Arraigned for ſtealing a Silver Cup, and Tankard, and ſeveral Silver Spoons, from one *Thomas Williams*; but the Felony being committed on the 20th of *March* laſt, ſhe was acquitted by vertue of Their Majeſties moſt Gracious Pardon.

*Lewis Rantzau* a Frenchman and *S—— F——*, a Dutchman, were both Tryed upon a Party Jury for the Murther of one *David Harder*, a Switzer, on the 18th day of *December* laſt, whoſe Names are theſe,

| | |
|---|---|
| *Richard Fealing* | *Giles Burrowes* |
| *Samuel Jolly* | *James Garryor* |
| *Stephen Lawrence* | *Ambroſe Hemborrow* |
| *Peter Volley* | *John Shavaleer* |
| *John Holding* | *Nicholas Rufford* |
| *David Colliyer* | *Simon Grymmot.* |

After an Interpreter was ſworn, the Evidence ſwore, That theſe two Priſoners came from *Holland* in the Packet Boat with the Deceaſed into *England*, having but little Acquaintance before, yet when they were here, they both wanting Mony and hearing that Mr. *Harder* had plenty, they laid wait for him, and aſſaſſinated him near *Chelſy*, in a moſt inhumane manner, giving him no leſs than Seven Wounds in his Body with their Swords, one of which was of the breadth of half an Inch, and of the depth of ſix Inches, beſides Rifleing of him of about 15 or 16 Crowns, and a Tabaco Box; after which, ſearch being made for the Murthercrs, *F——* was found in his Lodging, who preſently denyed the Fact without being taxed, which gave great ſuſpition, but *Rantzau* was taken amongſt the Dutch Guards at *Dartford*, who did freely confeſs the Murther, and cryed out, Oh that I ſhould be ſo unfortunate as to come into *England* to Murther ſo Innocent a Man! And when they were taken their Swords were Bloody; *F——* ſaid that he had killed a Dog, and after ſaid that he had never cleaned his Sword ſince he was at a Fight beyond Sea near *Fleury*, but that was a double Story; and it was proved that he was in company with the Deceaſed at *Chelſey* the ſame day that the Murther was done, and the Deceaſed's Shirt, and one of the Swords of the Priſoners, was produced in Court as a further Teſtimony againſt them, though the matter appeared very Strenuous and Pregnant before, even in all the Circumſtances of it. The Priſoner, *Rantzau*, ſaid, That *F——* was Innocent, and did not deny the Fact at his Tryal, but ſaid that there were three more Outlandiſh Men that aſſiſted him. *F——* denyed the Fact, and that he was never at *Chelſey*. The Box was proved to be the Deceaſed, as was well known by the Maker, as alſo by Collonel *Willet*, his endeared and moſt Affectionate Friend. In the end, after a full hearing, *Rantzau* was found Guilty of wilful Murther, but, the Evidence being not poſitive in all its Circumſtances againſt *F——*, he was acquitted.

*Felix Don Lewis*, *Thomas Pattrick* and *S—— B——*, were all Indicted for Forgery, in Counterfeiting a certain Bond, bearing date the firſt day of *May*, in the Fourth Year of the late King *James*, in the Name of one *Thomas Falconer*, for Threeſcore Pound of Lawful Engliſh Mony, payable to one *John Swayne*, who they pretended was gone beyond Sea, *Pattrick* acknowledged himſelf to be *Swayne* before Sir *Miles Cook*, and *B——* juſtified his name to be *Swayne*. And on the firſt day of *November*, they did publiſh and produce the ſaid falſe Bond to one *William Gilmore*, who was Executor of the aforeſaid *Thomas Falkner*, deſiring him to pay the aforeſaid Sum, which he refuſed, doubting of a Cheat: The Witneſſes to the falſe Bond were, one *John Whately*, *Francis* [illegible] and *James Erenne*, the latter of which confeſt that he was drawn into the buſineſs by the urgent Solicitations, and coaxing Devices, of the 3 Priſoners, which he readily confeſt in Court. The Bond was fully proved to be the ſame for that they had ingenuouſly Forged *Falkner*'s hand. There were abundance of Circumſtances that attended the Cheat, for two Papers of *Pattrick*'s own Hand writing, containing a true Confeſſion of the whole matter, were produced in Court, how that *B——* came to him, and told him, That he ſhould Perſwade one *Swayne*, and that *Falconer* and his Wife were dead, and could not contradict the Bond; and that he ſhould ſay, That *Swayne* lent the Mony in ſuch a place, at ſuch a time, to the ſaid *Falconer*, and that *Lewis* was alſo concerned in the whole Series of the Trick, and that he filled up the Bond with his own hand; but *Lewis* denyed the Fact ſtiffly, and was very Peremptory in his Behaviour. *B——* did ſtrive to Extenuate the Crime, but *Pattrick* ingenuouſly confeſt the whole Matter: So, after a long and diſtinct hearing, they were all found Guilty of Forgery.

*William Harryes*, of *St. Giles's in the Fields*, was Tryed for the Murther of one *John Watſon*, giving him a Mortal Wound upon the left Pap with a Sword of the depth of Two Inches, of which he inſtantly dyed, it being the 5th day of this Inſtant *January*. It happened that the Deceaſed and another Man were fighting, and the Priſoner coming by he intermedled, and would have them Fight fairer: upon which the Deceaſed, in a ſurly manner, asked him if he would Fight, telling him he would cut his Ears off, ſo the Deceaſed drew his Hanger and made at him, upon which the Priſoner drew his Rapier in his own Defence, and ſo happened to give him the Wound; all which the Priſoner did not deny at his Tryal; upon which he was found Guilty of Man ſlaughter.

*Margaret Roberts* was tryed for robbing her Maſter, one *Thomas Saltmarſh* of 16 Guineas and 3 l. 5 s. in Money, on the 8th of *January*. The Priſoner abſented herſelf from her Maſter's Service for a conſiderable Time, which gave a great Suſpicion, and when ſhe was taken ſhe confeſs'd to have taken 4 Guineas from her Maſter, but none of the other was found in her Cuſtody. She was found Guilty.

*Samuel Porter* alias *Vane* and *Mary Porter* his Wife, were Arreigned upon two Indictments, the firſt for High Treaſon, in Clipping the Currant Coyn of this Kingdom. The ſecond for Forging, Counterfeiting and Making three ſcore Pieces of Falſe Money, made of Copper, Tin, and other mixed Metals, *&c.* It was declared againſt them, That they had been heard to Clip ſeveral times, and that one *Michael Wright* was concerned with *Porter*, ſince fled: and there were Shears, Files, and ſome Clippings found in their Room. Much Evidence were produced, one of which ſwore poſitively, That he ſaw *Porter* and *Michael Wright* actually Clip ſeveral Shillings, *&c.* and *Mary* his Wife was heard to ſay, That *Wright* was an Artiſt at Clipping. They both denyed the Fact, and that they knew nothing of the Matter: Yet he was found Guilty of High-Treaſon, but the Law in ſuch a Caſe being tender of the Wife, ſhe was Acquitted.

The Evidence againſt them, concerning the Falſe Money, Swore, That it was found in their Chamber, and ſeveral Crucibles and other Inſtruments fit for the Work: And that they were heard to make a great Noiſe, by ſtamping at ſeveral Times, particularly one *Sunday* Night from 10 a Clock till 4 in the Morning: But none ſaw them actually forge the Money, and they both denyed the Fact, ſo were Acquitted of that Second Indictment.

*Joſeph Trant* was a ſecond Time Indicted, for breaking the Houſe of *Giles Duncomb* Eſquire, on the 17*th* of *November*, and taking away a Gold-Watch, with a Gold Seal, and two Gold Rings, 5 Handkerchiefs, a Gold Locket with wearing Apparel, all amounting to a very great Value. The Evididence was, That the Thieves came in at the Garret Window, and that the Cloſet Door was ſhut wherein was moſt of the aforeſaid Goods. The Priſoner was apprehended at *Windſor* with the Watch and the Locket, and the Rings found in his Cuſtody. He denyed it at his Tryal, yet was found Guily of Felony and Burglary.

*Anne Stephens* was Indicted for murthering her Female Baſtard Infant Child, on the 4*th* Day of this inſtant *January*. The Evidence was, That ſhe brought forth the Child privately in her Chamber, after which ſhe conveyed it into the Houſe of Office; which was plainly ſworn againſt her, and that the Child's Jawbone was broke, and the Face of it was cut with a Pair of Sciſſers, on the corner of the Mouth, 2 inches deep and one in length. She had nothing to ſay for her ſelf, ſo was found Guilty.

*Jane Carr*, Wife of *Robert Carr*, was tryed for Robbing one *Jane Kneaves* of 30 s. in Money, on the 2d of *December*. The Evidence was *Kneaves*, who ſaid, That ſhe Pick'd her Pocket in *Leaden Hall-Market*, but the Priſoner feeling her rampering about her, ſhe immediately dropt the Money on the Ground, and the Proſecutor had the Money again. The Priſoner had nothing material to ſay, but pleaded Poverty, & was found Guilty of Felony.

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*Mary Savadge* and *John Ridley* were both Indicted for Stealing from *Francis Jakeman*, on the 14*th* of *December*, one Silk Gown, value 20 *s.* one Petticoat 30 *s.* one laced Night Royle val. 5 *l.* one Suit of *Flanders* Lace 4 *l.* two Gold Rings, and Silk-Gowns, and divers other things of good value, from *Francis Jakeman* aforesaid and one *Judith Hawton*. *Jakeman* swore, That *Mary Savadge* was his Servant, and he had a Suspicion of her, because she had behaved her self very ill in her Service, and that *Ridley* came to invite her to go to a Funeral with him, a little before the Robbery was committed, and she was found in several stories when first raised about it: But the Evidence not being strong enough to charge them home, they were both Acquitted.

*B——E——* was tryed for Felony, in stealing from Mr. *Tho. Ives*, on the 1*st* of *October* last, 4 China Plates and 4 China Sawcers, and Serge Curtains and Valiens, and divers other Goods of good value. The Evidence was, That Mr. *Ives* took Lodgings of the Prisoner, and laid in the aforesaid Goods in the same, some of which the Prisoner had imbezled and conveyed away, by breaking open the Chests. Upon her Tryal she denyed it all; and the Prosecutor swore to a Pillowbeer, which was not in the Indictment, so she was acquitted.

*Robert Cook* was Tryed for stealing 3 Bushels of Wheat, value 7 *s.* 6. 2 Deal Boards, value 10 *d.* from *John Goodlepp*, some of the Wheat and one Board were found in *Cook*'s House, and he confess'd the Wheat, but not the Boards, before the Justice; but upon his Tryal he said, He took the Wheat for want of his Wages, his Master not being at home. Upon the whole he was found Guilty to the value of 10 *d.*

*G——D——*, an Ancient Man, was Tryed for being Married to one *Frances Jones* Widow, at *Wefchefter*, on the 6*th* day of *October*, in the 24*th* Year of the Reign of our Late Sovereign Lord *Charles* the Second, and afterwards was Married to one *Christian Artichel* at *Dukes Place*, the former Wife *Jones* being alive. Which Woman came as an Evidence against him. The Prisoner denyed that he was ever Married to *Jones*. The second Marriage was endeavoured to be proved, but the Evidence was short. The Prisoner said at last, That he would not own either of them, neither would he deny them, and they might do what they would; so the Jury immediately Acquitted him.

*Robert Pearse*, was Indicted for Robbing *Charles Pledwell*, in the King's High-way, on the 2*d* of *December* last, and taking away a Gold Seiled Ring, value 10 *s.* a Silver Hatband, value 2 *s.* 4 *d.* Upon the Evidence it was made appear, that there had been a former Quarrel, or old Grudge, between the Prisoner and *Pledwell*, (he having been Servant to *Pearse* before, and he claimed the Ring to be his) about *Pledwells* Marrying a Woman that lived formerly with *Pearse*. *Pearse* visited him in a Tavern, the Prisoner coming into the Room where *Pledwell* and his Wife were sitting, and violently pulled her Ear-Rings out of her Ears, and drew a Bysonet swearing he would cut his hand off, if he would not give him the Ring off his Finger, and drew a Pistol, threatning to shoot him. This was Evidence for the King. The Prisoner denyed that he offered any Violence, and he said *Pledwell* had Robed him: he called one *Mr. Trymmer* to prove what he asserted, who said, That the Prisoner had not the Ring, and the Hatband fell off in the Scuffle: So the matter appeared to be more like a Trespass than a Robbery, in the end he was acquitted.

*Christopher Pearse*, was Tryed for a Robbery in the High-way, together with *Tho. Cox* since Executed, on the 23*d* of *July* last. It was made appear thus, *viz.* That the Prisoner and another Man met one *Boucher* in *Hoxton-Hearth*, and pulled him off his Mare by the Hair of his Head, and took away the Mare, price 7 *l.* and a piece of Gold, and two Gold Rings; which Mare (being put into the Gazett) was found after in the Prisoners Stable. The Prisoner denyed it, and said that he was none of the Man, and called some Witnesses to prove it; one of which said, That the Prisoner was with him and several others at an Execution at *Tyburn*, the same day that the Robbery was committed; yet the Evidence for the King constantly affirming their former Depositions, he was found Guilty of the Robbery.

*Nicholas Carter*, and *Giles Webb*, two Pick-pocket-Boys, were Tryed for taking a Beaver Hat off the Head of one Mr. *William Cummins*, value 3 *l.* 2 *s.* on the 2*d* of *December* last, as he was passing along *Drumler-street*, near *Sloan's Gardens*, which was fully sworn against *Carter*, besides he did confess it when taken, and they were both together when the Robbery was done. They both denyed it flatly, and were known in Court, *Carter* was found Guilty to the value of 10 *d.* but *Webb* was acquitted.

*Chornell Baxter*, was Indicted for breaking the House of *Edward Brooks* on the 2*d* of *March* last, between the hours of two and four in the Afternoon, and carrying off a Silver Tankard, value 10 *l.* Two Salvers, value 5 *l.* 18 *s.* a Porringer, value 3 *l.* 10 *s.* and 5 *l.* in Mony, and divers other Goods of value. The Evidence discovered the whole Matter at large, how that the Prisoner had been a Setter for High way-men and Robbers for a long time, and that he was not in the said *Brooks* House, but watcht at the corner of the Street, whilest another Man went into the House, and brought away the Plate and Mony aforesaid, and some Rings; which Plate they sold for 30 *l.* and after shared the Mony. The Prisoner told a fair Story, in behalf of his Innocency, complaining of Malice in the Prosecutors; and having no hand in breaking the House, only stood as a Spy, he was, after a long hearing, acquitted.

*Charles Hodson* and *Hannah* his Wife, were Indicted for the Murther of *John Meares*, Gent. giving him a Mortal Wound upon the left Part of his Breast, near his Collar-Bone, with a Chizel, of the Depth of four Inches, on the 27*th* Day of *December*, of which he languishing lived till the 12*th* of *January* and then dyed: *Hannah* was Indicted as Accessary, her Husband as Principle. The Evidence swore, That the Deceased was seen to give the Prisoner a Box on the Ear; and that the Prisoner afterwards strook the Deceased upon the left Breast, and gave him a Wound, which was the occasion of his Death. The Prisoner said, That the Deceased struck his Wife in the High-way, and was very abusive; so in the end he was found Guilty of Manslaughter, but she was Acquitted.

*Mary Maryon* was Tryed for breaking the House of *Joan Hanford*, and stealing away several Silks and Damask, all to a great value. The Evidence swore, That his House was broaken open, and that the Prisoner had some of his Goods, which she bought of a End of Gold and Silver Woman; and she confessed before the Justice that she had them of the Woman aforesaid, and having good Evidence of it the Jury found her Innocent

*Thomas Pitcher* alias *Healing*, was Indicted for Counterfeiting twenty Pieces of King *James*'s Shillings, made of Copper, Tynn, and other Metals, *&c.* The Evidence was, That he was seen to Forge and make the Money, he being a Smith by Trade, under Pretence of following his Calling had Opportunity to accomplish his Projects in this Nature: And that there was one *John Moor* and *Thomas Taylor* who were concerned with the Prisoner; and he had Money that was Clip'd seen in his Hand. The Prisoner denyed it, and the Jury were not fully satisfied with the Validity of the Evidence, so he was Acquitted.

*Richard Kelly* was Tryed for robing the Right Honourable *Charles* Earl of *Westmerland*, on the fourth of *December* last, of two Silver Plates, value seven Pound ten Shillings. The Evidence swore, That the Prisoner was a Servant to my Lord *Westmorland*, in *Northamptonshire*, and that the Plates lay in the Bake-house (he being Baker) a long Time, till they were forgot; and at last he brought them to *London* and melted them down. The Prisoner said, That they were brought out of *Ireland*, but could not prove it; and he had confessed the Fact before the Justice, when taken: So he was found Guilty of the Felony.

On *Fryday*, the 2*d* day of this Sessions, my Lord *Preston*, *John Ashton* and *Edmund Elliot*, were all Arrained for High Treason, my Lord *Preston* was Tryed on *Saturday* by the name of Sir *Richard Graham*, Mr. *Ashton* on *Munday*. The Indictments against them consisted of Two Parts, the First of which set forth, That they had a Treasonable Design carrying on to Depose the King and Queen, and to Subvert and Alter the Government of the Kingdom of *England*, and to raise War and Rebellion in the same; which said Traiterous and Wicked Designs and Purposes to bring to pass, they did, on the 29*th* of *December* last, Meet and Conspire together, with

several

ſeveral other Traitors not yet diſcovered, and did Compoſe ſeveral Treaſonable Letters, Notes and Memorandums in writing, which ſet forth the moſt effectual way and means how they might Dethrone and Depoſe our Moſt Gracious Sovereign Lord and Lady the King and Queen, and further deſcribing therein how the Affairs of this Kingdom ſtood, and of what Strength and Force our Shipping was; as alſo the Fortifications of ſeveral Sea-Port-Towns within this Kingdom. The Second Part was their adhering to the Kings's Enemies: And to that end, that they might Acquaint *Lewis* the French King of the ſame, they did hire a Boat and Embarque themſelves in order to Tranſport themſelves and Pacquet of Treaſonable Letters into *France*, agreeing to pay for their ſaid Paſſages the Sum of One hundred Pound; and, in order to their Treaſonable Voyage, they had made their Paſſage as far as below *Graveſend*, but were then Taken by Captain *Billop*, who Cruiſed abroad to ſearch for them.

After this the Evidence for the King being called, gave an Account particularly from Step to Step, how cunningly and ſubtilly they managed this horrid Conſpiracy, by hiring the Smack called the *Thomas and Elizabeth*, to convey them ſecretly into *France*; in order to which they took Water in a Skuller at *Surrey-Stairs*, and went on Board the aforeſaid Veſſel, which lay in the River of *Thames* over againſt the *Tower*: From thence they ſet Sail down the River, till coming within the View of the *George Frigate*, lying in *Long-reach*, they deſired the Maſter of the Smack to hide them under the Quarter-Hatches; which was done, they having ſome Fear of being diſcovered: There they remained till paſt that Danger, and then came up; but when they were within Sight of *Graveſend* they hid again, and a little below it Captain *Billop* came aboard them, under Pretence of Preſſing the Maſters two Men, who were aſſiſtants to him; but indeed his Deſign and real Intention was to find out thoſe Traytors, which, upon Search, he found lying along under the Hatches; and after their being haled up he ſearch'd them, and found a Pacquet of Treaſonable Papers in Mr. *Aſhton's* Boſom; which he with the Priſoners carried before my Lord *Nottingham*; who examined the Papers, and after being examined by the Cabinet Council they were committed to the Tower. The Evidence was very full and plain againſt them both, much to the ſame effect and purport: The Letters being alſo Read againſt them in Court, were adjudged to be of no leſs Import than High-Treaſon. Upon the whole they had nothing material to offer in their Defence; ſo after a very long hearing, they were both found Guilty of High Treaſon. *Edmond Elliot* was ordered to remain till further Order.

Tryals being over, the Court gave Sentence thus,

*Burnt in the Hand* 3.

| | |
|---|---|
| William Harris | Richard Kelly |
| Charles Hodſon | |

*Received Sentence of Death* 14.

Sir *Richard Graham* and *John Aſhton*, to be Drawn, Hanged and Quartered, for High-Treaſon.

| | |
|---|---|
| John Benloſe | Elizabeth Read |
| H—— F—— | Lewis Rantzau |
| Anne Stephens | Margaret Roberts |
| Jane Carr | Samuel Porter |
| Joſeph Trant | Chriſtopher Pearſe |
| Francis Leitchfeild, *formerly convicted.* | *and,* Nicholas Carter. |

*Robert Cook*, for Stealing three Buſhels of Wheat and 2 Deal-Boards, was ordered to be Whipped from *Newgate* to *Holbourn-Bars*.

*Felix Don Lewis*, *Thomas Patrick* and *S—— B——*, who were convicted for Forgery, were ordered to ſtand in the Pillory at the *Royal Exchange* in *Cornhil*, and one of each of their Ears to be cut off, and to continue in Priſon for twelve Months after, according to the Intent of the Statute in that Caſe made and provided, *&c.*

The next enſuing Seſſions was ordered to begin on *Wedneſday* the 18*th* day of *February* next enſuing.

*God Save King* WILLIAM *and Queen* MARY.

*THO. PILKINTON*, Mayor.

## ADVERTISEMENTS.


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*** *If any Gentleman or Gentlewoman have a deſire to learn to ſpeak Latin or French Truly and Properly, and to Explain any Author according to Grammer-Rules, and can but ſpare two hours a Week,* Charles Switerda, *Eſq; Profeſſeth a very ſhort and eaſie Method to teach them the ſaid Language in one Year. Thoſe who have learned formerly may recover it in 3 or 4 Months. He Teacheth alſo other Languages in a very ſhort time. And if any one deſires a Succinct Grammer in 2 Sheets of Paper, or a Pack of Grammatical and Hiſtorical Cards, they may have it at his Lodgings,* viz. *where he Teacheth in* Clements Lane, *near* Canon-ſtreet, *at the* Coffin, *and in* Holbourn *at the* Hand and Feather, *over againſt* Grayes-Inn.

*** *Whereas a Miſtake was committed in ſome of the Printed Papers of Sir* John Johnſon's *laſt Dying Speech, as if he ſhould mean the Apothecary in* Newgate-ſtreet *did cauſe him to be apprehended: This is therefore inſerted, by the Order of* Langley Curtiſs (*who printed the ſaid Speech*) *that it was not the ſaid Apothecary, but his former Landlord.*

*** *Theſe are to give Notice to all Perſons, for the Benefit of the Publick, That Mr.* Elmy, *Profeſſor of Phyſick, and Operator, of known Integrity, and above 25 Years practice, Liveth at the* Blue Ball *in* Whale-Bone Court, *at the Lower End of* Bartholomew-lane *by the* Royal Exchange, *who moſt ſafely and expeditiouſly Cures* Deafneſs *and* Noiſe in the Ears *in any of what Age ſoever, (if Curable) and at firſt Sight, by Inſpection, Reſolves the Patient if ſo or not, as moſt Eminent Perſons of Quality in this City can Teſtifie. He hath likewiſe a moſt excellent Gargariſm or Mouth-Water, which will make black or yellow Teeth as white as Ivory, in a few times uſing; and it will certainly cure the Scurvy, and all other Diſeaſes incident to the Mouth, Teeth and Gums, which in many perſons cauſeth a ſtinking Breath, which (by the Bleſſing of God, and the uſe of this Water) I dare affirm you will be freed from thoſe Maladies beforementioned, with Directions. His Pills only prepared for the* French *Diſeaſe, and the* Running of the Reins, *may be had in Boxes of ſeveral prices, with other* Venereal Arcana's, *as occaſion ſerves.*


*London*, Printed for *Langley Curtiſs* at Sir *Edmondbury Godfrey's Head* near *Fleet-Bridge*, 1690.

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THE

# PROCEEDINGS

ON THE

# King and Queens Commissions

OF THE

## Peace, and *Oyer* and *Terminer*, and *Gaol-Delivery of Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex*, at *Justice-Hall* in the *OLD-BAILY*.

On *Wednesday*, *Thursday*, and *Friday*, being the 26*th*, 27*th*, and 28*th* of *February*, 1690.
*And in the Second Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, *Oyer* and *Terminer*, and Gaol-Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Wednesday*, *Thursday*, and *Friday*, being the 26*th*, 27*th*, and 28*th* Days of *February*, 1690. Before the Right Honourable Sir *Thomas Pilkington* Kt. Lord Mayor of the City of *London*, and Mr. Recorder, with several others of Their Majesties Justices for the City of *London*, and County of *Middlesex*.

*The Jurors were as follow:*

| London Jury, | Middlesex Jury, |
|---|---|
| *John Bland* | *Richard Bealing* |
| *Thomas Greene* | *Abel Weeks* |
| *William Crouch* | *Richard Fisher* |
| *Edward Stanton* | *James Bird* |
| *Edward Safferton* | *Richard Cooper* |
| *Samuel Tayjer* | *John Bayley* |
| *Zachariah Heywood* | *William Collins* |
| *John Pettit* | *Michael Lucas* |
| *George Westray* | *John Haynes* |
| *Richard Atkinson* | *John Partridge* |
| *Timothy Tyrrell* | *John Collins* |
| *John Fedding.* | *Thomas Hollins.* |

*The Proceedings were these:*

*Elizabeth Deacon*, Wife of *Francis Deacon*, of the Parish of *St. Michael Woodstreet* Whipmaker, was arraigned and tryed for the murther of her Servant Maid one *Mary Cox*, aged about 17 years. The Tryal lasted very long, and abundance of Witnesses were called for the King, amongst which were her two Apprentices, viz. *Edward Newball*, and *Thomas Albrook*, &c. The former of which declared, that, on *Monday* the 20*th* of *January* last, his Mistris found the Maid to have a Shilling about her, and demanded how she came by it? The Maid confest at first, that she had one 6 *d.* of one Mrs. *Baker*, and the other of one *Susannah Middleton*; which her Mistris being doubtful of, she ty'd her to the Beds-post, and whipt her very sorely, and on *Wednesday* following she deny'd it. Upon which, her Mistris grew extreamly enraged at her, and struck her two or three Blows with a Whip; and proceeded further in her passion, even in causing him to tye her to the Beds-post, where she whipt her in a most violent manner, until she cry'd out *Murther*. To prevent which, her Mistris stopt her mouth with her Hand, but then on the *Saturday* following, she tyed her Neck and Heels, and afterwards tyed her to the Beds post, burning her with the Fire-Poker upon the Neck, Shoulders, and Back, after a most inhuman Manner, and then gave her a Blow on the Head with a Hammer, until she made her confess to have been confederate with some Thieves who intended to Rob her Master's House while he was at *Bristol* Fair. Then she had the Maid before a Justice on the next *Monday*, being the day before she dyed, where she confessed the like, &c.

After which, her Mistris grew careless of her; For when she fell sick upon it, she would not let her have those Accommodations that were fit for a person in that deplorable Condition, but was heard to say, *Hang her, Hang her; And that if she had not confest, she would have kill'd her.* She could no ways be prevail'd upon to take any pity upon her Servant, nor give her any sustenance: But, on the contrary, cry'd out, *Who can do any thing for such a Wretch?* telling them, *that she had the Pox*, &c. The Surgeon said, that the Stripes and Wounds did contribute towards her Death, together with a Surfeit she had taken before.

The prisoner strived to Extenuate her Crime, saying, *That her Maid had wronged her several times, by making away her Goods, and Money, and had Conversation with a parcel of Thieves, and was a Girl of a very sullen, obstinate, temper; and the reason why she Whipt her, was, for opening her Dressing-Box.* She called some Witnesses, who gave a favourable account of her former Education, but none that could contradict or invalidate the King's Evidence; only one of them said, that the Maid complained of a stoppage at her stomach, and a great pain in her head, before she was so used; and that she surfeited her self by Eating Ice Cakes, and Apples, &c. all which did not avail her any thing; but the Jury looking upon the Heinousness of the Fact, and Barbarous Usage to the party deceased, brought in her guilty of wilful Murther.

Where-

*William Harvey* was Indicted for Felony and Burglary, in breaking the House of *John Page* of *Harrow on the Hill*, on the 18th of *February* last, taking away one Silver Tankard, value 7 l. and 40 s. in Mony, &c. The Evidence deposed, That his House was broke open in the Night, and his Goods taken away, and that the Prisoner was one of the Seven Men that came into the House, and was taken in a Field as he was making away, and the Tankard, and a Bottle, was found lying in a Hedg near the place where the Prisoner was taken: all which he owned, when taken, *viz.* that there were Six Men besides himself, some of which dwelt in *Drury Lane*, and *St. Giles's*. The Prisoner said, That he came by chance to *Harrow*, and hearing a Gun go off, went to help to apprehend the Thieves, but that did not avail him, he being an old Offender, upon the whole, he was found guilty of Felony and Burglary.

*Robert Hillgrave*, of the Parish of *Kensington*, was Indicted for Felony and Burglary, in breaking the House of *Foot Onslow* Esq. on the 6th of *February* last, entering the House about two or three in the Morning, and taking away 2 Silver Hilted Swords, value 3 l. a pair of Spurs, value 20 s. a Silver Salver, value 5 l. 4 Spoons value 40 s. 2 Salts, value 30 s. a pair of Snuffers, value 15 s. a Snuff Pan, value 25 s. a Ladle, value 40 s. a Cambler Coat, value 3 l. a Beaver Hat, value 30 s. 3 Perriwigs, value 6 l. and some other Goods of good value. It was Evidenced by Mr. *Onslow*, and others, That he was one of the Thieves that Robbed him, and that he had Sold some of them to several Persons, which were produced as a further Evidence against him. He denyed it, and said, he found the Wigs in the Street, but he was known to have been an Old Thief, he was found guilty both of Felony and Burglary.

*Thomas Williams* of *Hackney* was Indicted, for that he, together with *John Browne* (now sick in *Newgate*) did break the house of *Katharine Tuncks* Widow, on the 17th of *January* last, and taking away one Silver Tankard value 3 l. 10 s. a Silver Mugg 30 s. a Tobacco Box 20 s. a Silver Watch 3 l. a Salt 10 s. Four Spoons 32 s. with several other Goods. The Evidence declared, that the Prisoner was one that came with several others and broke open the house, and that some of the Goods were found about him, and owned by the Prosecutor. A Berry was left in the house, besides Clipt Money found in the Prisoner's Pocket, all which he was not able to gain-say, and being an old Offender, was found guilty of Felony and Burglary.

*Henry Floyd* Genr. and *Richard Jones*, were Indicted upon the Statute of Stabbing; For that they, together with one *J*——*V*—— and *J*——*E*—— not yet taken, did kill and murder one *Joseph Burson*, giving him a mortal Wound with a Rapier value 3 s. upon the right part of the Belly, of the depth of six inches, on the 26th of *January* last, of which he died on the 27th. The Evidence were very numerous, who declared that a Quarrel hapned near the Abby at *Westminster* about hiring a Coach, between the deceased and the Prisoners. The Prisoners and *V*—— and *E*—— endeavouring to get away the Coach, the Deceased and his Friends resisted, upon which there were three Swords drawn, and in the Scuffle the said *Burson* was killed. The Prisoners pleaded notwithstanding that they knew not who gave the Wound, and that they never knew the deceased, nor had any malice, yet their Swords were drawn, and *Jones* drew his first. So they were found guilty of Manslaughter at Common Law, but were acquitted of the Statute, &c.

On *Thursday* Morning *J*——*V*—— and *J*——*E*——Genr. (who were concern'd with Mr. *Floyd*, and *Richard Jones*, in the Murther of *Joseph Burson*, as is before Incerted,) surrendered themselves in Court, and the Indictment being Read against them, the Evidence declared much to the same effect, as in *Floyd*'s Tryal, &c. how that *V*—— would have had the Coach away from them, and Swore at his Servant *Jones*, commanding him to draw at *Burson*, upon which he Cryed out that he was killed, and died within 24 hours after: But no Evidence Swore flatly that *V*——gave the mortal Thrust, nor likewise that Mr. *E*—— made any Pass, but only had his Sword drawn with the rest, by the Coach side. After a distinct hearing on both sides, they were found guilty of Manslaughter.

*Jack Read* was Tryed for stealing a Bay Mare, on the 20th of *Decemb.* price 3 l. 2 s. 6 d. from one *John Cox* of *Somersetshire*. The Evidence said, That the Prisoner sold the Mare in *Smithfield* for 3 l. odd Money. The Prisoner said, That he bought the Mare of a *Welsh man* at *Bristol*, and produced a Certificate from the Mayor of *Bristol*, which passed for no Evidence on his account. Yet upon the whole he was Acquitted.

*G*——*C*—— was Indicted for stealing 36 yards of Taffety Ribbon, value 18 s. on the 13th Instant, the Goods being found upon him. He was found guilty to the value of 10 d.

*Joseph Jordan*, and *Catherine Jordan* his Wife, were both Tryed for Felony and Burglary, in breaking the House of one *Grigg*, of *St. Martins in the Fields*, on the 16th of *February*, and stealing 12 yards of Silver Fringe, value 3 l. 18 s. 50 Ounces of Gold Fringe, value 13 l. 6 s. 20 Ounces of Gold Lace, value 9 l. 6 s. 8 d. and 20 Ounces of Silver Lace, value 4 l. 3 s. 4 d. the Goods were found in the Prisoners Custody, and the Lace was found sewed upon the Coat of the Prisoner *Joseph*, but no Evidence was produced to prove for *Burglary*, and the Law being tender of the Wife, she was acquitted, but the Man was found guilty of Felony to the value of 10 d.

*Ruth Parry* was Tryed for stealing 2 Dowlace Shirts, value 7 s. 2 Smocks, and some other Linnen, from *George Maddox*, on the 21st Instant. *Maddox* declared, That the Goods were found about her. And the Prisoner said, That the door was open, and so she took it; but it being of a small value, she was found guilty of 10 d.

*Richard Merridy* was Indicted for the Murther of one *John Pascall*, on the 20th of *January* last, giving him one Mortal Wound with the Iron Chape of a Sword, on his right Eye, of the depth of one Inch and a half, of which he died the 22d Instant. It was Evidenced, That the Prisoner met the deceased upon the *Temple Stairs*, and thrust *Pascall* into the Eye, he being a Watchman there in the Christmas time, and went away. It was further declared, That Mr. *Merridy* would have come into the *Temple*, without a Ticket, but being resisted, he gave the deceased the aforesaid Wound, and that he was heard to say, *That it was no more Sin to Kill any of the Officers, than to Kill a Dog, or a Cat, and that he would have the Blood of some of them*, &c. The Prisoner Extenuated the Crime, but the Case being desperate and plain against him, he was found guilty of wilful Murther.

*George Cox* was Tryed for stealing a Gelding, on the 14th of *February*, price 7 l. from *John Laye*, who deposed, That the Prisoner was found offering the Gelding to Sale in *Smithfield*. And that he was found in several Stories, after he was taken; how that he bought the Horse at *Daintry* in *Northampton shire*, &c. The Prisoner said, That he had the Horse of 2 Men and a Boy upon the Road, and had no Witness, so he was found guilty.

*John Williams*, a *Dutch man*, was Indicted for stealing one Silver Tankard, value 5 l. from one *Hugh Mascall*, on the 21st of *January* last. It appeared, that the Tankard was found about him, and that he left a Pewter one in the stead of the Silver one, so he was found guilty of Felony.

*Mary Bennet* was Tryed for stealing from *James Fletcher*, on the 21st of *December* last, 3 Holland Shirts, value 20 s. 4 pair of Sleeves, value 20 s. 2 Muslin Neckcloths, value 3 s. 1 pair of Breeches, value 30 s. and other Goods. The Evidence put the Woman in trust to keep the Goods. So the Court was of opinion, that she did not steal them, so she was discharged.

*E*——*B*—— was Tryed for breaking the House of one *James Smith*, on the 26th of *January*, and taking away 400 yards of stript Silk, value 40 l. the Goods of *George Booth*. The Evidence not appearing against her, she was immediately acquitted.

*G*——*J*—— was Tryed for stealing Goods of a small value, on the 7th of *April* last. The Evidence was full against him, and he not denying the Fact, was found guilty to the value of 10 d.

*John Earl* was Tryed for stealing a Silver Tankard, value 5 l. on the 10th of *February*. The Evidence Swore, That he came to an Alehouse, and called for a Pint of drink, and took away the Tankard. All which he was heard to confess before the Justice, and he was known to be an old Offender, so he was found guilty.

*John Vanrosendall*, *Iohn Evart*, and *John Gilliart*, *Dutch men*, were all Three Indicted for the Murther of *Stephen Litball*, whereupon a Parry Jury was Sworn, whose Names are as follow, *viz.*

| | |
|---|---|
| *Richard Bealing* | *Richard Cooper* |
| *John Shavelier* | *Abraham Shauly* |
| *Abel Weeks* | *John Bayley* |
| *Samuel Jolly* | *Henry Lezeer* |
| *Richard Fisher* | *James Bird* |
| *Daniel Gize* | *James Warrior.* |

After which the King's Evidence deposed, That the deceased was coming along the way near *Chelsey* Town, on the 11th of *January* last, and there he was shot by Three Men, which appeared to be one of the Prisoners, *viz. Vanrosendall*, for he confest it when he was taken, that he Kill'd him, but gave no reason for it: and the said *Litball* died the next day. The Prisoner *Vanrosendall* said, That *Litball* had his Sword drawn, and came towards them: but it did not appear that the *Dutch-men* were upon any Duty, as Sentinels. It appeared further, that *Litball* was much in drink, and Swore, that he would Kill the first Man he met that should affront him. Another Evidence for the King further demonstrated, That the Prisoner *Vanrosendall* acknowledged that he Kill'd *Litball*: but no Evidence affected the other two, so they were acquitted, and *Vanrosendall* was found guilty of Manslaughter.

*Henry Terry* of *Fulham* was Tryed for breaking the House of one *Thomas Barnabey*, and taking one Silver Probe, value 5 s. on the 14th of *May* last. The Evidence was but single, and spoke very favourable. And the Prisoner said, that he had been drinking. So upon the whole he was acquitted.

*Abraham Parker* was Tryed for the Murther of one *Jane Burton*, with a Bullet shot out of a Musket Barrel, fastned in an Engine in the Artillery Ground. It appeared, that one *Slade* his Man shot off the Piece, who was Tryed for the Fact about 3 or 4 Sessions ago, and nothing could be proved against him, that he had any design to Kill the said *Jane Burton*, only it was a Misfortune, and done by Chance, so he was acquitted.

*Thomas Fox*, a Soldier, was Try'd for Killing one *Nathaniel Hedding*, a Soldier, giving him a Wound in the Throat with a Sword, value 2 s. 6 d. on the 19th of *February*, of the depth of one Inch, of which he instantly died. The Evidence were two Chyrurgeons who deposed, That the deceased was found Buried in a Ditch at *Hangmans Acre*, near *Mile-End Green*, with his Throat Cut from Ear to Ear, and several other Wounds about his Head. It was further made out, that the Prisoner and the deceased were in company together the day before the Murther was committed; and the Prisoner confest to have Murthered the said *Hedding*: so the matter was fully proved, and the Cloaths of the deceased was found in the Prisoners custody; the Prisoner said, that he was set upon by the deceased, and stood in his own defence, and that he Cut him and Mangled him, that he might not be known, but that was not available, so the whole matter being plain, he was found guilty of wilful Murther.

*J—— L——* was Tryed for breaking into the house of *Jane Taylor* Widow, with an intention to steal her Goods, on the 22d instant. It was declared, that 3 came into the house, and he was taken about 8 or 9 a Clock at Night with a Ripping Chisel in his Custody; the Prisoner denyed it, but he was found to be an old Offender, being Try'd 2 Sessions ago, so he was found guilty of Burglary.

*Rowland Tomkins* was Tryed for Killing *William Holding*, on the 25th of *January* last. It appeared, that the prisoner and the deceased were trying of Guns together, in some other company, and the prisoner's Gun happened to go off against the deceased, the deceased having struck the prisoner with a little Switch before; he said, he could find in his heart to shoot him; but no Malice appeared to have been formerly between them, for they Loved as Brothers, so he was found guilty of Manslaughter only.

*Henry Dean*, and *Thomas Montague*, were Indicted, for that they, together with one *Mary Vallens* not yet taken, did break the house of one *Farenbras Styne* on the 11th of *January* last. It was declared, that *Dean* brought some Goods, *viz.* one piece of Stuff Hangings, value 10 s. a pair of Curtains 40 s. a piece of Tapstry 10 l. a pair of drugget Curtains 6 l. and other goods, into *White-Fryars*, and *Mary Vallens* came with him, and they were all three seen to take away the goods, about 11 a Clock at Night; *Vallens* being entrusted with the Key of the Prosecutors house, whilst he was in the Country; so they were both found guilty of Felony, but discharged of the Burglary.

*Edward Richardson* was Indicted at Common Law, and also upon the Statute of Stabbing, for the wilful Murther of one *John Marlow*, who was Outlawed for the same, but now Tryed for the Fact. The Witness for the King deposed, that in the Third Year of King *James*, being the 23d day of *June*, 1687, the prisoner was at *Marlow*'s house at *Islington* drinking, and there he Din'd with him, and after, upon some slight occasion, gave him a prick in the Groin 4 Inches deep, threatning him before, calling him Son of a Whore, *&c.* but when he was taken, (being pursued,) running away, he owned that what he did was in his Passion, but denyed it upon his Tryal, and said, that he knew not how *Marlow* came by his Death, so after a long Tryal, he was found guilty of wilful Murther at Common Law, but discharged of the Stabbing, *&c.*

*Margaret Jones* was tryed for stealing some wearing Apparel, and 4 Gold Rings, from *Benjamin Page*. The Evidence said, that she confest to have let in another Woman into the House, and put her into the Coal-hole till towards morning, and then carried them into *Southwark*. She not denying it, was found guilty of Felony.

*Philip Clarke*, a Boy, was tryed for stealing a parcel of Gloves, and 60 Yards of Filleting, from *John Carlton*. The Boy being seen to go out of the Shop with the Gloves under his Arm, was presently stopt. Notwithstanding his denial of the Fact, he was brought in guilty to the value of 10 d.

*John Murray* was Indicted, for that he, together with one *Williams*, not as yet taken, did steal a dozen of Dowlace Clouts value 12 s. 8 Yards of *Flanders* Lace 41 s. 3 Yards of Bone-Lace, with several other Goods, from one *Edward Harlow*. The Evidence said, that the house was broke open on the 15th of *February*, in the Day time, and the Prisoner was seen in the house with the Goods upon him. Whereupon he was found guilty to the value of 10 d.

*Robert Harlow*, a little Boy, was Tryed for stealing a Cloth Gown value 10 s. 3 stuff Petticoats 3 s. from *Matthew Tute*, on the 16th of *February* last. The Boy was an Apprentice near to *Tutes*, and let a Man into the house in the Night-time; which he confest before the Justice of Peace when apprehended, but deny'd the Fact upon his Tryal. He was found guilty to the value of 10 d.

*George Fansy* was Tryed for stealing 30 Ounces of Silk, value 40 s. 7 pound weight of Thread 4 s. on the 8th of *February* last. The Prisoner was seen to commit the Fact, taking the Silk off a Shelf with his Sword. Notwithstanding his denying of the Fact, he was found guilty to the value of 10 d.

*Richard Bourn*, a Youth, was Tryed for breaking the house of *William Pickard*, with an Intention to steal his Goods. The Prosecutor was not able to say that he broke the house, or took away any thing. Upon which he was acquitted.

*John Davis*, another Youth, was Tryed for the same Fact in kind, (*viz.*) for breaking *Edward Hicks*'s house, with an Intention to steal his Goods on the first of *February* last. The Evidence not charging him fully, he was discharged.

*James Smith* was Tryed upon two Indictments, for stealing a Mare, value 30 s. the Goods of *John Galloway*; and a Heyser, price 3 l. was owned by one *Thomas West*. *Galloway* lost the Mare out of *Berkshire*, and the Prisoner said, that he bought the Mare of one *Boughton*, now in *Chelmsford Goal*, but could not prove it; *West* for the Heyser, said, that he lost the Heyser out of *Berkshire* too, and that it was found in the Prisoners Custody, and he could not prove how he came by them, so he was found guilty of both Indictments.

*Elizabeth Wade*, alias *Garlington*, was Indicted for stealing a Silver Tankard value 7 l. 8 s. 6 d. and a Silver Tasster 3 s. the Goods of *Joseph Wyn*. The Prisoner pleaded that she was accused maliciously, and proving her Reputation to be honest, she was acquit-

*Rickard Collins* was Indicted for breaking the house of *Don Pedro Don Quillo*, the *Spanish* Ambassador, on the 12th of *December*, 1688, and taking away 15 Guyneas, value 16 l. 2 s. and 6 d. 8 pieces of other Gold, value 9 l. 8 s. 800 Guyneas more, value 844 l. and Fourscore Pound in Money, the Money of one *Jasper Leroose*. The Evidence seemed to be very circumstantial, and *Leroose* was out of the way; and he had the Money in the time when the house was Ransackt, and no one could prove any matter upon him, so he was discharged.

*Isabella Pardy* as principal, and *Alice Rose* as accessary, were both Arraigned for Felony and Burglary, in breaking the house of *William Cecil*, and stealing goods of great value, as a Silver Tankard, and Spoons, *&c.* but some of the chief Evidence being absent, could not prove the Burglary; but there were some found about *Pardy*, so she was found guilty to the value of 10 d. but the latter was acquitted.

J—— L—— was Tryed for stealing 12 yards of stript Lute string, value 3 l. the Goods of *Stephen Humphreys*. The Evidence Swore, that the Silk was the Prosecutors: but the Prisoner called one Evidence to prove that he had it of his Father in Law, the Marquess *de Bashee*, all which being well weigh'd, he was discharged.

*Thomas Spegg* was Arraigned for stealing 20 Weather Sheep, value 15 l. 10 s. the goods of one *John Fynch*, unto which he pleaded guilty, and to all others within the benefit of his Clergy.

*William Read* gave in Bail to appear next Sessions, and the rest, who were taken in the Ship going to King *James*, were ordered to remain till further Order.

On *Fryday* Morning the *Scotch* Officers came into Court and pleaded their Majesties most gracious Pardon upon their Knees, which was allowed them accordingly; whose Names are as followeth, *John Murray*, *Mungo Murray*, Captains; *Peter Robinson*, *William Robinson*, *David Arnell*, *Isaac Thsekeld*, *William Cunningham*, Lieutenants; *George Chivey*, *Walter Auchmoutey*, *James Paten*, *Alexander Innis*, *John Carr*, *Patrick Cook*, Ensigns. Captain *John Johnson*, *William Murray*, and *Peter Murray*, received the benefit of it before, and are since gone into *Scotland*, in their Majesties Service, *&c.*

*Richard Stafford* was Charged to have Written, Compoled, and Published, a most scandalous and seditious Libel against the King and Government, intending thereby to raise Dissention, and to breed Discord between the King and Queen, and the late Parliament, *&c.* he refused to plead at first, only said, that he would refer himself to the Statute of the first of *William* and *Mary*, which saith, *that any thing offered against the Parliament, was Cognizable in Parliament only*: and therefore would insist on that plea, that he ought to be Tryed by them. So he was taken into Custody, after that he pleaded not guilty, hereupon was ordered to remain.

*Margaret Hebbern* Widow, an ancient Woman, was Tryed, for that she, with one *Susannah Powell*, alias *Williams*, did steal a Silver Tankard, on the 12th of *February* last, from one *Snell*. The prisoner said, she was innocently drawn into the thing, and had abundance of people to prove her Integrity, a good Woman, and a good Christian, she was acquitted.

*Ursula Batters* was Tryed for stealing 2 gold Rings, value 30 s. a Cornelion Ring 10 s. the goods of *Edw. Stanton*; the prisoner was a Lodger at *Stanton*'s house, but it appearing to be Malice, she was acquitted.

The Tryals being over, the Court proceeded to give Sentence as followeth, *viz.*

*Burnt in the Hand Nine.*

John Williams, John Earle, Henry Floyd, Richard Jones, John Vanrosendall, E—— J——, Thomas Spegg, Rowland Tomkins, Henry Deane.

*Received Sentence of Death Eleven.*

Richard Merridy, George Cox, William Harvey, Robert Hillgrave, John Anderson, (*Convicted about Four Sessions ago*) Thomas Williams, Thomas Fox, John Longstaffe, Edward Richardson, James Smith, *and* Elizabeth Deacon, *who pleading her Belly, a Jury of Matrons were Empannelled, whose Verdict was, that she was with quick Child.*

*To be Transported Two.*

Thomas Montague. Margaret Jones.

*Ordered to be Whipt Nine.*

Joseph Jordan, Philip Clark, Robert *Harlow*, George Fawsey, Isabella *Pardey*, Ruth *Parrey*, G—— J—— G—— C—— *and* John Murray. *Those of* London-*side*, *to be Whipt from* Newgate *to* Aldgate. *Those of* Middlesex-*side*, *to be Whipt from* Newgate *to* Holbourn-Bars.

*One* Fletcher *was ordered to remain, being suspected to have Cut the King's Picture in* Guildhall.

J—V—— *Immediately after he was Convicted, pleaded His Majesties most Gracious pardon upon his Knees, which was allowed him by the Court.*

The next ensuing Sessions was order'd to begin on *Wednesday* the 30*th* of *April* next, by Seven of the Clock in the morning at the *Old Baily*.

*God Save King* WILLIAM *and Queen* MARY.

*THO: PILKINGTON* Mayor.

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*Licens'd*, March 1. 1690.

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Advertisements.

☞ *These are to give Notice, That if any person hath occasion to sell any Library, or parcel of Books, either in large or small Quantities, may receive ready Money for them, upon View thereof, by* Langley Curtiss *at* Sir Edmondbury Godfrey's *Head near* Fleet-bridge.

☞ *There is lately publisht a fourth Volumn of Casuistical* Morning Exercises, *by several Ministers in and about* London, *preached in October*, 1689. *Sold by* John Dunton *at the* Raven *in the* Poultrey.

☞ *There is also published a* New *Play, Entituled*, The Abdicated Prince: Or, the Adventures of Four Years. *A Tragy-Comedy. As it was lately Acted, with great Applause, at the Court at* Alba Regalis, *by several persons of great Quality. Sold by the Booksellers of* London *and* Westminster.

☞ *These are to give Notice to all Persons, for the Benefit of the Publick, That Mr.* Elmy, *Professor of Physick, and Operator, of known Integrity, and above* 25 *Years practice, Liveth at the* Blue Ball *in* Whale-Bone Court, *at the Lower End of* Bartholomew-lane *by the* Royal Exchange, *who most safely and expeditiously Cures* Deafness *and* Noise in the Ears *in any of what Age soever, (if Curable) and at first Sight, by Inspection, Resolves the Patient if so or not, as most Eminent Persons of Quality in this City can Testifie. He hath likewise a most excellent Gargarism or Mouth-Water, which will make black or yellow Teeth as white as Ivory, in a few times using; and it will certainly cure the Scurvy, and all other Diseases incident to the Mouth, Teeth and Gums, which in many persons causeth a stinking Breath, which (by the Blessing of God, and the use of this Water) I dare affirm you will be freed from those Maladies beforementioned, with Directions. His Pills only prepared for the* French Disease, *and the* Running of the Reins, *may be had in Boxes of several prices, with other* Venereal Arcana's, *as occasion requires, with Directions.*


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LONDON, Printed for *Langley Curtiss* at the Sign of Sir *Edmondbury Godfrey's Head*

THE

# Second Diſcovery

OF

# The Jacobite Plot:

## Shewing the Intreagues that was carrying on againſt the Government at the *Cock-Match* at *Bathe*.

## Together with a LIST of thoſe Noble-men, Gentlemen, and others now in Cuſtody.

THO the reſtleſs endeavours of a Party indefatigably bent to ruin themſelves and *Europe*, are not likely to be diſcontinued with one ill accident; and as they cannot, or dare not make any open Effort for the Service of the *Immortal and Eternal* Lewis, (as his own blaſphemous Idolaters call him) yet are we not to think they have leſs Poyſon than before, tho' it lurks more privately, and they dare not ſo bare-faced as formerly ſpit it abroad; and what Methods they ſtill make uſe of, is the Subject of this Paper.

What Meaſures were taken in *England* by the *Jacobites* on His Majeſties truly Royal Reſolution to expoſe His Sacred Perſon in *Ireland*, has been already told the World. And I appeal to every bodies memory if that Party did not generally moſt extravagantly exult and rejoyce when they heard on't.--- E'ne much good may it do 'em with all either they or their King have got by't.

The Generoſity of the Party too is very well worth obſerving -- when His Majeſty was gon for the defence of his Country with moſt of his Army, then they thought and hop'd eaſily to prevail againſt a *Womans* Management, never before verſed in the Arts of Government. But they have very timely caught a *Tartar*-- they have found a Second *Queen Elizabeth*, with a Soul ſtrong enough either to preſide in Council, or head Armies-- Nor dare they, as experience tells the World, meet her any more than his Majeſty, who thunder'd 'em away from *Salisbury*, at the very noiſe of his Approach at forty miles diſtance; and after driving 'em here, has been forc'd to follow them ſo long in *Ireland* from Hill to Hill and Bog to Bog, that his Army cant chuſe but know all their Commanders by their Back ſides, which they have ſeen ſo much oftner and longer than their Faces.

And ſince thoſe concerned in this fine Project, which what it was the *Memorial* alſures, and common Senſe the ſame, that the *French* would not ſend a Fleet, nor could at ſuch a nick without intelligence and correſpondence. Since they have ſo much conſulted the Glory of *England*, 'tis pity but the ſhould indeed be known to ſucceeding Ages, and their Names rendred as eternal as thoſe of *Herostratus* and *Nero*.

Nor therefore to prejudice any, but leave them all to as fair a Tryal as *Crone* had before 'em, wiſhing heartily they may purge themſelves, and after Ages may not have ſo many Engliſhmen recorded as the blackeſt of Traitors, 'twill be yet neceſſary to give a Liſt of thoſe *Mac-carthy*-- who are already committed

## In the *Tower*.

Earl of *Torrington*.
Lord *Newburgh*.
Earl of *Clarendon*.
Earl of *Salisbury*.
Lord *Forbes*.
Earl of *Yarmouth*.
Lord *Gryffin*.
Lord *Roſſe*.
Sir *John Fenwick*.
Colonel *Haſtings*.
Colonel *Butler*
— *Stafford* Eſquire.
Captain *Hutton*.
Major *Matthews*.
Mr. *Bernard Howard*.

## In *Newgate*.

Sir *Nicholas Butler*.
Sir *Adam Blair*.
Captain *John Vaughan*.
— *Thorgmorton*.
— *Turner* Eſquire.
Captain *Ryder*.
Captain *Crone*.
Mr. *Oliver St. John*.

## In the *Gatehouſe*.

Secretary *Pepys*.
Colonel *Walden*.
Captain *B*—

Accuſed and in the Proclamation *May* 30th required to ſurrender.

*Tho. Tildeſly*, or *Tindeſly*, (excepted in the Act of Grace)
*Molineux*.
*Tempeſt*.
*Townly*.
*Garlington*.
*Standiſh*.
*Gerrard's* Son.
*Tho. Tildeſley*.
*Ralph Tildeſly*.
*Henry*, *Richard*, *Alexander* } *Butlers*.
*Tho. Carus*.
*Tho. Weſtby*
*William Weſtby*
*Harrington*
*Rob. Molineux*
*Maſſy*
*Lenny*
*Carus*
*Bierly*, al. *Barlow*
*Goodan* Clerk
*Goodwin*, a Romiſh Prieſt
*William Weſtby*
*George Carus*.
*Thomas Butler*
*Starby*
*Fenalt*
*Knipe*
*Coale*
*Carus*
*Woolfall*
*Ducket*
*Colton*
*Thornton*

Theſe with many more of the ſame Stamp for whom Warrants are abroad, had concerted the matters between 'em for a general inſurrection. The places of Rendevouz appointed on ſeveral pretexts at ſeveral places; One of the cheefeſt, the famous *Cock Match* at the *Bathe*, to ſpoil which ſome Troops of Guards were ordered thither, which we are not to expect they ſhould have the Courage to meet, nor did they, but ſcattered and ran to Covers as faſt as Guilt and Fear cou'd drive 'em, nor after all have they had the Courage to fire one Piſtol for their Cauſe throughout all *England*, tho' arriv'd they were to ſuch a height of Inſolence, on hopes no doubt of ſure Succeſs, that where they had Power, (only in one place) Proteſtant Chaplains have been forbid to pray for His Majeſties Succeſs in *Ireland*, and the very Guards and Centries abus'd and affronted by ſuch as knew where to have a ſufficient Sanctuary.

230
575. L. 2.
130
K

# THE DISCOVERY

MADE BY

# Captain Mark Baggot,

THE

## Perſon lately taken in Womans Clothes,

Coming from

# Limerick to Dublin,

Where he was Apprehended, and Tried as a SPY, by a Court-Martial, on *Friday* laſt; at which he received Sentence of Death: But upon this Confeſſion, Execution was reſpited.

Licenſed and Entered *April* 6. 1691. *J. F.*

THat the *Iriſh* Army conſiſts of Forty thouſand Men of all ſorts; That *Tyrconnel* was reducing them to Thirty thouſand; but *Sarsfield* prevented it; and that a great many of them want Arms.

That *Tyrconnel* and Sir *Richard Nagle* are Penſioners of *France*.

That there is no good underſtanding between *Tyrconnel* and *Sarsfield*, having great Jealouſies of one another.

That King *James* has Correſpondence with, and Intelligence from ſome Perſons in conſiderable Places of Truſt here in *England* every Ten days.

That the *French* Fleet is hourly expected with Thirty Pieces of Cannon, Ammunition, Proviſions, and Arms; a *French* General, ſome Marine Men, but none of the Army; they reſolve to maintain their greateſt Force againſt the Confederates in *Flanders* next Campaign.

That the *Iriſh* Army intends to move towards the Frontiers, their greateſt Deſign being againſt *Cork* more than any other Place; what is

left

left of the Suburbs they intend to burn; they expect a great many Diſerters at their approach to the Town. The Commanders of the Parties for this Service are Colonel *Dorrington* and Colonel *Clifford*.

A Spy, taken at *Limerick*, was hang'd here, and confeſs'd that Major *Corket* was in particular Favour, and held Correſpondence with the *Engliſh*, who was carried Priſoner to *Limerick*, and ſuppos'd to have ſuffered Death.

That the Contributions paid to the new *Iriſh* are one Peck of Wheat or Meal, 12 Pound of Butter every Fortnight out of each Plow-Lands.

That there is expreſs Order, that no Guns be removed from *Limerick*; that the *Engliſh* Diſerters are only paid and encouraged, but no pay given to the *Iriſh*.

That they are ſtill Fortifying *Limerick*.

That *Ballyclogh* and *Caſtletown*, with ſome other Places, were to be made Garriſons by the *Iriſh*; That Sir *Michael Creagh*'s Regiment of Foot, under Command of Colonel *Lacy*, are at *Ballyclogh*, which Place they are Fortifying; That *Strabane*'s Regiment of Horſe are at *Charleveel* and *Buttifant*, &c.

*Cuſtom-Houſe Dublin. April* 1. 1691.

*Sir*,

IT is long ſince I received yours; which I had readily anſwer'd, had any thing of Moment offer'd.

I have here, Enclos'd, ſent you an Account of the Diſcovery made by Captain *Mark Baggot*, whoſe Execution is at preſent reſpited; and do give you this trouble, to deſire your Correſpondence and Kindneſs in ſending me a Line or Two of News, when any Remarkable: the Charge I will acknowledge to you, and be ready to do you any Service here. My Humble Service to Mr. *W.* and Captain *G.* when you ſee them: In haſte, I remain

*Your Aſſured Friend,*

*and Humble Servant,*

R. W.

## ADVERTISEMENTS.

*Hiſtorical Obſervations on the Reigns of King* Edward *the 1ſt, 2d, and 3d, and* Richard *the 2d. With Remarks upon their Faithful Counſellors, and Falſe Favourites. Written by a Perſon of Honour. In 8o. Price Bound One Shilling and Sixpence. Printed for* James Partridge, *and ſold at the* Poſt-Houſe *at* Charing-Croſs.

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*LONDON*, Printed for *James Partridge* at the *Poſt-Houſe* at *Charing-Croſs*. MDCXCI.

THE

# PROCEEDINGS

ON THE

# King and Queens Commissions

OF THE

## Peace, and *Oyer* and *Terminer*, and *Gaol-Delivery* of *Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex*, at *Justice-Hall* in the *OLD-BAILY*.

On *Wednesday*, *Thursday*, *Friday*, and *Saturday*, being the 22*d*, 23*d*, 24*th* and 25*th* Days of *April*, 1691. *And in the Third Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, *Oyer* and *Terminer*, and Gaol Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Wednesday*, *Thursday*, *Friday*, and *Saturday*, being the 22*d*, 23*d*, 24*th* and 25*th* Days of *April*, 1691. Before the Right Honourable Sir *Thomas Pilkington*, Kt. Lord Mayor of the City of *London*, and Mr. Deputy-Recorder, with several others of Their Majesties Justices for the City of *London*, and the County of *Middlesex*.

*The Jurors were as follow:*

| London Jury, | Middlesex Jury, |
|---|---|
| *Joseph Howe* | *Anthony Nurse* |
| *John Whitehead* | *William Munn* |
| *Tobias Winn* | *Matthew Cupper* |
| *Thomas Sympson* | *Nicholas Burnel* |
| *Richard Kemble* | *Robert Longland* |
| *Tho. Lupton* | *Benjamin Boltbey* |
| *Tho. Foxley* | *Edward Hemstead* |
| *John Bocket* | *John Steele* |
| *William Dodson* | *William Bowrne* |
| *Ralph Carter* | *William Dancer* |
| *Samuel Medcapp* | *Thomas Nichols* |
| *Robert Williamson.* | *Daniel Newman.* |

*The Proceedings were these:*

*William Riggs*, *Charles Pearson*, *James Harris*, alias *Barrow*, *John Acron*, who were Indicted last Sessions, and severally, were all Indicted together with *H. J.* for Robbing Mr. *Saltmarsh* of a Watch, value 5 *l.* and 25 *s.* in Mony, on the 5*th* of *December* last. Mr. *Saltmarsh* swore, That several Persons, to the number of six, met him on *Ludgate-Hill*, and assaulted him in a Coach, and took away the Watch and Mony: he swore positively to *Riggs* and *Acron*, but was not so positive as to *Pearson* and *Harris*. *J*—— was Tryed for being Accessary to the former, but upon the Tryal it appeared that *J*—— knew nothing of the matter, no farther than as he was imployed by Mr. *Saltmarsh* to look after the Thieves, and to get his Watch again, which he did, finding it in the Custody of one *Richard Redd*, a Notorious Pick-Pocket, who owned to have privately taken it from the Prosecutor: So *Riggs* was only found Guilty, but the rest were Acquitted.

*Dorothy Cooper*, was Tryed for stealing a Scarfe, a Hood, one Sheet, 11 *s.* in Mony, and several small wearing Apparel, the 28*th* of *February* last. The Evidence said, That she broke open a Lock of a Chest of Drawers, and ran away with the Goods and Mony, and two Petticoats and a Shift were found upon her. The Prisoner said, That she bought them of the Prosecutor, but could not prove it, and had nothing material to offer, so she was found Guilty to the value of 9 *s.*

*Elizabeth Case*, alias *Crofts*, was Indicted for breaking the House of one *Ann Bush*, and taking away one Watch with a Silver Case, value 30 *s.* one Gown, value 3 *l.* one Silk Petticoat, value 40 *s.* one other Petticoat, value 40 *s.* one Amber Necklace, value 30 *s.* a piece of Gold, value 25 *s.* a Guinea, value 20 *s.* &c. and 19 *s.* in Money, on the 24*th* of *March* last, the Goods of one *Jo. Kellove*. The Evidence was, that the Prisoner lodged in Mrs. *Bushes* House, and was seen to carry away somewhat in her Apron, and a little Box of Mrs. *Bushes* was found empty under the Prisoners Bed, but there was one *Thomson* that lodged in the same House at the time the Robbery was committed, who is not yet found, that was suspected to have some hand in the Robbery, she was Acquitted of the Burglary, and found Guilty of stealing the Goods.

*Anne Harris*, was Tryed for stealing, on the 23*d* of *March* last, one piece of Poynt Lace, value 20 *s.* a black Hood and Scarfe, and a Top-knot, &c. from one *John Dymock*. The Prisoner was a Lodger in *Dymocks* House, and some of the things were found upon her, particularly a Silver Cup, which she sold to one Mr. *Elkin* a Goldsmith, and other things she pawned at one *Samuel Watsons*, a Broker in *Newdstreet*: The Prisoner said, That the things were lent her, and that she was Maliciously sworn against; but that did not avail her, she being looked upon as an idle Woman, giving no Account of her Behaviour, she was found Guilty of Felony.

*Elizabeth Wilson*, was Tryed for stealing away a piece of dark colored Silk, value 6 *l.* from Mr. *Sherwood* and Partner in *Peter-Nosler-Row*. She came into the Shop as cheapen Goods, and was seen to take away the Silk, which was immediately found under her Apron; all which she denied, and said, She had it of another Woman, but could not prove it. She was found Guilty.

*Henry Powel*, alias *Howel*, *John Grimes*, *Charles Smith*, *John Clifton* and *R*——*J*—— were all Tryed for a Notorious Robbery on the High-way near *Alm*, in the County of *Middlesex*, on the 24*th* of *March* last, in and upon *Tho. Alm*, Gent. his Lad: *Elizabeth Alm*, and his Daughter *Jane Alm*, putting them in fear, taking away from Mr. *Alm* a Grey Gelding, value 15 *l.* a Saddle, value 30 *s.* and 15 *s.* in Mony, and 15 *s.* from

Mrs. *Allom*, and a Gold Chain, value 7 *l.* from Mrs. *Jane Allom*. The Evidence was very numerous, the first of which was Mr. *Allom*, who declared, That as he was going from *Acton* towards his House, on Horseback, and his Lady and Daughter in a Coach, five or six Persons met him and Robbed him, knocking him off his Horse, having Robbed the Coach before. He swore positive to *Powel* and *Grymes*, but could not be positive as to the other three, they having disguised themselves, and had the Hair of their Periwigs on their Mouths. Mrs. *Allom* knew *Powel* at the Tryal, and did believe the other to be present at the Robbery, but was very tender upon her Oath. Other very credible Evidence deposed, That the Chain was found about *Powel*, it droping out of his Pocket, which was owned by Madam *Allom*. There were other Witnesses that strengthened the former Depositions, and said, That *Rynbey* was one among them, and that *Smith* Rifled the Coach, and *Hind* first stopt it, uttering most desperate Oaths, with threats, against Madam *Allom*, to deliver, which she was forced to do, and immediately fled; but being persued by the Neighbouring People, they were all Apprehended, *Smith* being shot in making his Escape in his Thigh, so was brought into Court in a Chair, *&c.*

In their Defence, *Powel* said, That he found the Gold Chain as he was rideing along, lying upon the Ground, but could not prove it. *Grymes* said little to say: and *Smith* said, That he found the Horse loose in the Road, which Horse was Mr. *Allams* and owned by him. J——denied that he was in the Company, but it was made appear that he was one that beset the Coach; so he and the three former was found Guilty. *Clifton* denied it, and there was no positive Evidence that touche him, as to Matter of Fact, *viz.* that he was among the rest, or went with them any further than *Hide Park* Corner when the Robbery was done; so he was (after mature Consideration) Acquitted.

*Tho. Gun*, *Tho. Dyer*, *Tho. Goudge*, *Tho. Newberry* and *Mary Proctor*, were all Indicted for breaking the House of one *George Cromwell* of *Sunbury* in *Middlesex*, on the 17*th* of *February* last, and taking away a Silver Tankard, value 7 *l.* a Silver Cup, value 20 *s.* another Cup, value 30 *s.* a Mug, a Tumbler, several Potingers and Spoons, and abundance of other Plate of great value, besides 20 *l.* in Mony, *&c.* Mr. *Cromwell* and others swore, That his House was beset about six of the Clock at Night by four or five Persons, who came and bound the Family, and Gagged them, and took away to the value of about 300 *l.* but no Evidence could set it home upon them, so they were all Acquitted.

*John Story* and *Henry Wise*, alias *Wyse*, alias *Vaughan*, alias *Philips*, were Indicted upon two Indictments: The first for Robbing *Jeremy Hale*, (in the High-way) of *South Mims*, on the 3*d* of *February*, (in the Second Year of King *William* and Queen *Mary*) of 10 *l.* in Silver, and half a Guinea: The second for Robbing Madam *Mary Hale*, Widow, of a Spanish Pistole, a Ludore, a half Guinea, a piece of Coyned Gold, besides other Gold, and 31 *l.* 10 *s.* in Money. The Evidence was Mr. *Hale* and his Mother Madam *Hale*, who swore, That *Wise* came to the Coach side and stopt it, and took the aboveſaid Mony and Gold. Madam *Hale* swore positively against them both, and Mr. *Hale* punctually against the Prisoner, *Wise*; besides other confirming Evidence, *&c.* The Prisoners had nothing to say, only *Wise* said, That the Witnesses swore so heartily, that it was in vain for him to make any Defence (or to that purpose,) so they were found Guilty of both the Indictments, *&c.* for two Robberies in the High-way.

*John Gray*, was tryed for killing one *Mary Ayres*, Wife of *Peter Ayres*, with a Pistol, Bullet on the 11*th* of *March* last, giving her a Mortal Wound, on the Right side of the Breast, of which she immediately dyed. The Prisoner came to the Prosecutors, House to buy some Pistols and other things, and handling them one accidentally went off and shot the deceased, but the Prisoner did not know that it was Charged; so he was found Not Guilty of Murder, only did it *per Misfortunam*.

*Robert Toplady*, as Principal, *Richard Callcot* and *John Johns* as Accessaries, were all three Indicted for the Murther of one *Thomas Floyd*, on the 30*th* of *March* last, in the Parish of St. *Brides*, giving him a Mortal Wound with a Sword upon the Back, of the Depth of 8 Inches. The Prisoners being with the deceased and some others at the *Gun Musick House* in *Salisbury Court* they bred a Quarrel and drew their Swords, in which Scuffle *Thomas Floyd* was killed; but neither of them saw the Wound given, only *Toplady* was seen to thrust at the deceased, so he was found Guilty of Manslaughter, but the other two were Acquitted.

*Elizabeth Hale* and *Elizabeth Askew*, were Indicted for stealing from *John Fisher* and Partner, on the 17*th* of *April*, 17 Yards of Silk, value 4 *l.* The Evidence was positive that *Askew* dropt the Silk from under her Apron, in *Pater Noster-Row*, which she owned in Court: They were both found Guilty to the value of 9 *s.*

*John Symons*, a Boy, was tryed for stealing 35 Yards of printed Stuff, from Mr. *Overton* in *Lumbard-Street*, value 30 *s.* The Stuff was found upon the Boy, and he was seen to go into the Shop and take it away, so he was found Guilty of Felony.

*Elizabeth Walton*, was tryed for killing *William Aleph*, a Boy, on the 23*d* of *February* last, in the Third Year of the Reign of King *William* and Queen *Mary*, in the Parish of St. *Clement Eastcheap*, giving him a Mortal Bruse on the hinder part of the Head with a Pewter Plate, value 6 *d.* of which he dyed the 2*d* of *March* following. It appeared upon the Tryal, that the Prisoner was a Cook Maid in the House where the deceased lived, at one Alderman *Rogerſons* in *Clements-Lane*, and the Plates being near the Fire, the Boy gave her some Affront, by medling with them; upon which the Prisoner took up a Plate and struck him over the Head. The Prisoner expressed her Sorrow for such a sad Accident; so she was found Guilty of Manslaughter only.

*John Thomson* and *Mary* his Wife, were tryed for breaking the House of *Anne Bush*, in *Fetter-Lane*, on the 24*th* of *March* last and taking away a Watch, value 30 *s.* and a Gown, and a Silk Petticoat, and several other Goods of good value. The Evidence was the same as in the Tryal of *Elizabeth Cant*, alias *Crofts*, before specified. *John Thomson* was found Guilty of the Felony, but the Law being tender in respect to his Wife, she was Acquitted.

*Timothy Cary*, was tryed for Robbing *Jane Paget*, Wife of *Geoge Paget*, of St. *Ancrews Holbourn*, of a Gold Watch, value 13 *l.* 18 *s.* on the 18*th* of *March* last. The Prisoner came into the House of the Prosecutor, being a Coffe House, about 10 of the Clock at Night, and finding no body within but Mrs. *Paget*, asked her to let him view the Watch, which she did, and he carried it away, and Pawned it at Mr. *Friends* in *Maypole Alley* for 3 *l.* or there about: but the Prosecutor declared that she did not mistrust him, and it might probably be suggested that she lent it him, so in the end he was Acquitted.

*George Read*, *William Selwood*, alias *Jenkins*, and *William Mackquear* alias *Bayley* alias *the Irish Teague*, were all three indicted for a Robbery on the High way, on the 24*th* of *March* last, committed upon *Benj. Witts*, taking away from him a Rapier, value 5 *s.* and a Whip, and a Tobacco Box, and a Gold Ring, value 30 *s.* and 20 *s.* in Mony. The Prosecutor said, That the Prisoners met him upon *Hounslow heath* and Robbed him of the aforesaid Mony and Goods, which were found about them when taken at the Parish of *Harmsworth* in the County of *Middlesex*. They had nothing to say material, only *Read* pleaded he was not at the Robbery, but taken accidentally in the Company: They were known to be Old Offenders, so were all found Guilty of the Robbery.

*Mary Ingle*, Wife of *James Ingle*, was tryed for killing one *Anne Townsend*, Wife of *John Townsend*, on the 24*th* of *March* last, shooting off a Pistol at her, giving her a Mortal Wound near the Right Pap, of the depth of four Inches, of which she dyed on the morrow. The Witnesses swore, That the Prisoner and the deceased were intimate Friends; and *Ingle* having a Pistol in her hand drew the Cock in Jest, and it went off and shot *Townsend*, but it was done unwillingly, and she did not know it was Charged; so the Verdict was found Special, and she was Acquitted of the Murther, but did it *per misfortunam*.

*John Newel*, was tryed for stealing 30 Silver Plates, value one hundred threescore and five Pounds, from the Right Honourable *Charles* Earl of *Westmoreland*, on the 8*th* of *February* last. The Evidence was positive, so he was found Guilty of Felony.

*Mary Price*, Wife of *Edward Price*, and *Elizabeth Jones*, Wife of *Peter Jones*, were both tryed for assaulting one *Peter Jones*, Husband of the latter. He said that he was drinking with the Prisoners in *Carter-Lane*, and as he was going to his Lodging, over *Lincolns Inn Fields*, they met him with two Men and fell upon him, *viz.* the same Night, and took away from him 10 *l.* 15 *s.* in Mony. It did appear upon the Tryal very Comical in Court, that a Man should endeavour to hang his own Wife; but it further appeared that she had not lived with him for a considerable time; and he could not say which of them it was that Robbed him, and the Men were gone. It appearing to be a Malicious Prosecution, they were both Acquitted.

*Peter Define*, a Frenchman, and *Patrick Trant*, were both Indicted for Robbing *John Ferrers*, Gent. on the 23*d* of *March* last, of a Sword, value 30 *s.* The Evidence swore, That as Mr. *Ferrers* was going along *Ozendon-Street*, about nine of the Clock at Night, his Sword was suddenly snatcht from his side by two Men, whom he could not discover being dark: but other Witnesses swore, That the Frenchman took the Sword, which he confest when taken; besides it was found in his Custody: So he was found Guilty, but no Evidence affecting *Trant*, he was Acquitted.

*Elinor Clark* and *Anne Stubbins*, were both Indicted for Felony in ſtealing out of the Houſe of *William Dunkin* of *Whitechappel*, on the *16th* of *March* laſt, a Tabby Petticoat, value 20 *s.* a Blanket, a Table-Cloth, with divers other ſmall Linnen, ſome of which were found upon the Priſoners, beſides ſeveral Pick-lock-keys. They could ſay but little for themſelves, ſo were both found Guilty to the value of 10 *d.*

*Elizabeth Deal*, was tryed for the Murther of her Female Infant Baſtard Child, on the *7th* of *March* laſt, on this wiſe, She went to a Midwife at *Stepney*, and deſired to Lye In in private, which the Midwife promiſed ſhe ſhould, if ſhe would make proviſion for the Child, which ſhe promiſed, but did not, but privately made away the Child, throwing it into a Puddle of Water, on the backſide of the Houſe, in the High-way. She confeſſing (when taken) that the Child Gaſped when it was thrown down; adding that it cryed, and then ſhe pinched it by the Throat and diſpatcht it out of the World; this ſhe confeſt to ſeveral Women about her, but upon her Tryal ſhe denyed all, and pleaded that ſhe was Diſtracted, but never laid any violent hands upon her Child, neither did ſhe put it into the Water, nor pinch it, only what ſhe did was to cover her Shame; begging hard that the Court would pitty her ſad Condition. She was found Guilty of wilful Murther.

*Mary Pitcman*, was tryed for ſtealing privately a Watch from *Anne Knowles*, Wife of *Nicholas Knowles*, of St. *Giles's in the Fields*, on the *28th* of *March* laſt. Mrs. *Knowles* knocking at a Door, where the Priſoner and others were begging, in *Southampton ſtreet*, her Watch was taken out of her Pocket; and the Priſoner was heard to threaten the Proſecutor, Mrs. *Knowles*: but ſhe could not be poſitive ſhe took it, ſo ſhe was Acquitted.

*William Phipps* was Indicted for ſtealing a Gelding coloured Bay from *John Bayley*, price 4 *l.* Upon the Evidence it appeared, that he ſtole the Horſe out of *Hampſhire*, and he could not give any good Account how he came by the Horſe; ſo he was found Guilty of Felony.

*William Bullmore* was tryed for Feloniouſly taking from *Thomas Wells* his Wife, of *Weſtminſter*, on the *30th* of *March*, a Gold Ring, value 25 *s.* The Evidence was Mr. *Wells*, who ſaid, That his Wife, being in Drink, he deſired the Priſoner and ſome others to help her into a Coach, and ſhe loſt her Ring off her Finger; but no Evidence could prove that the Priſoner had the Ring, and the Priſoner made a good Defence, having ſeveral Credible Witneſſes vindicate his Reputation, he was Acquitted.

*James Selbey*, of *Whitechappel*, was Tryed for the Murther of one *Mary Bartlett* alias *Bartley*, by Cutting her Throat with a Knife, value 1 *d.* on the *22d* of *March* laſt, giving her one Mortal Wound of the Breadth of Eight Inches, and of the Depth of Four Inches. The Courſe of the Evidence ran thus: The deceaſed *Bartlett* was a Woman that kept a very ill Houſe, no leſs than a common Baudy Houſe, in *Goodman's Fields*, which Mr. *Selbey* had oftentimes been ſeen to reſort to; but the time when the Murther was committed was on *Sunday* in the Evening, the *22d* of *March* laſt. The Evidence was firſt a Woman that ſerved *Bartlett* as a Nurſe, (ſhe being not well a little before) who ſwore, That Mr. *Selbey* came into the Houſe in the After noon, and ſat by the Kitchen Fire, there being a Perſon with her Miſtreſs up one Pair of Stairs, but after a little time ſhe came down, and the Man went away: Then Mr. *Selbey* and the Old woman went up into the ſame Room, had a Fire, and there ſate till about Ten or Eleven of the Clock at Night, drinking, among them, 3 Bottles of Cyder, 5 Bottles of Mum, and 7 Quarterns of Cherry-Brandy, which occaſioned them to be very Drunk: Then Mr. *Selbey* (as he did before) deſired to go away, but the Old Woman perſwaded him to ſtay; and to oblige him ſo to do, ſhe told him, That he ſhould lye in the middle of the Bed betwixt her and her Nurſe; but he would not do that, only deſired that the Woman (the Nurſe) might fetch up one Quartern of Brandy more, which ſhe went down for, and whilſt ſhe was gone, he cut the Womans Throat to the Wind Pipe; and leaving his Hat and Gloves, he came down and met the Nurſe at the Stayrs Foot in the dark, and ſtruck her over the Head with a Hammer, and gave her two or three ſlight Cuts in her Throat, and one of her Hands; but the Woman ſtruggling with him, for a conſiderable time, prevented his Bloody Deſign; ſo after a little time he made his Eſcape out at a Back-Door, leaving the Woman bleeding, and crying out Murther; which the Watchmen hearing, they came to the Door, and the Woman, with much difficulty, opened the Door and let them in, finding her much Wounded, they preſently conveyed her to her Lodging hard by; and then they ſearcht the Houſe, but found no body in it but the deceaſed *Bartlett*, who lay upon a Bed in the Room where they drank before, with her Throat Cut, in a moſt dreadful manner, and a Handkerchief ſtopt into the Wound, beſides ſeveral Wounds in her forehead, a Pillow lying upon her Face to cover it. They found alſo a Hat and a Pair of Gloves in the Room, lying upon the Bed, which the Priſoner owned to be his when taken: Then they purſued after the Priſoner, and found him climbing over ſome Pales near the Houſe with his Hands all bloody, and his Cravat and Ruffles beſpotted with Blood; then they carried him to the Watch houſe, and there he owned his Hat and Gloves, *&c.* The Priſoner in his Defence ſaid, That there were two Men in the Room over where he was drinking, who ſwore great Oaths that they would do him a Miſchief, ſo that he ran away, being in Drink, out of Fear; but thoſe were Frivelous Excuſes. And the Nurſe ſwore poſitively, That no Perſon was in the Houſe beſides all that Evening: So after a long Tryal he was found Guilty of wilful Murther.

*S——F——*, was tryed for the Murther of one *John Charleton*, an Aſſiſtant to one of the Sheriffs Officers for the County of *Middleſex*, the Evidence ſwore that the Officer went to his Chamber in *Fullers Rents* to ſerve the Priſoner with an Execution, at the Suit of one Mr. *Matthews*, for 200 *l.* and when they were entred, and had Charged the Priſoner, he ſeemed to be ſubmiſſive at firſt, telling the Officer that he would go any where with him: but immediately he aroſe and went behind his Bed, pretending to put off his Gown, or ſome ſuch buſineſs, but inſtead of that, he brought a Braſe of Piſtols and ſhot one off at *Charleton*, and gave him a Mortal Wound near the Nivel of the Depth of 2 Inches, of which he dyed within few days after; the other Piſtol he preſented towards Mr. Conſtable the Officer, but one in the Company obſtructed his deſign, and Mr. Conſtable gave the Priſoner a Wound in his Breaſt, which he confeſt in Court. The Priſoner in his Defence proved, That the Officer and others came to his Chamber door and broke it open, and aſſaulted him in a violent manner, making a paſs at him and wounded him, running him in at one Breaſt and out at the other, before they gave the word of Arreſt to him, and then he made haſte to get his Piſtols in his own Defence. This Mr. *F* proved for himſelf. Then the Jury was very diſtinctly charged to enquire, and being withdrawn about a quarter of an hour, they brought him in Not Guilty but the Court desiring them further to conſider of it, they went out again, and returning, gave the ſame Verdict, which was Recorded in Court.

*John Win* and *Elizabeth* his Wife, were both Indicted for High Treaſon, in Clipping the Current Coyn of this Kingdom, on the firſt day *January* laſt, being Half Crowns and Shillings, *&c.* There were Shears produced, and other Inſtruments fit for that work in Court, which were found in the Priſoners Lodging, and ſome at his Houſe in *Surry ſtreet*, but none could ſay that he Clipt. And the Witneſſes for the Priſoner ſaid, That the Man had always behaved himſelf well formerly, and was frequently Lunatick, which weighed ſo much with the Jury that they Acquitted them both.

*Rebekah Parks*, Wife of *William Parks* lately fled, was Indicted likewiſe for High Treaſon, for that ſhe did Counterfeit and make ſeveral Shillings of Copper, Tynn and other mixt Metals, on the 23*d* of *January* laſt; but no Evidence material being produced againſt her, ſhe was Acquitted.

*John Leech*, was Arraigned for ſtealing, on the 22*d* of this Inſtant *April*, one Silver Spoon, value 4 *s.* one Silver Inkhorn, value 10 *s.* 19 Gold Rings, value 8 *l.* unto which he pleaded Guilty, and to all other within the Benifit of his Clergy, *&c.*

*B——— E———*, was Tryed for ſtealing from Mr. *George Sengimin* one Yard and an half of Silver Ribbon, value 2 *s.* one Yard of Silk, value 12*d* and a Golden Locket, ſet with Twelve Diamonds, value about 6 or 7 *l.* The Priſoner confeſt that ſhe ſtole it and threw it into the Houſe of Office when firſt taxed, but ſhe denyed it at the Tryal, but owned the taking of the Silk; the Jury being tender, ſhe was Acquitted.

*John Anderſon*, *D——— L———*, *Ruth Staynes* and *Elizabeth Fairbank*, Widow, were all Indicted for Felony and Burglary in breaking the Houſe of *David Jones*, in St. *Chriſtophers* Pariſh, near the *Exchange*, on the *6th* of *March* laſt, about 3 of the Clock in the Afternoon. They came in to Drink, and took away one Silk Gown, value 3 *l.* three Pettycoats, ſome Hoods, ſome Laced Muſlin Coronets, and 4 *l.* 8 *s.* in Money, ſome of which were found about them, particularly a Coat was found upon *Anderſon*, and *Staynes* had a Coronet about her, *L———* had none of the Goods; *Fairbank* had one Mantua and two Pettycoats; *L———* was in the Company when the

the Robbery was done, ſo they were all four found Guilty of the Felony but not of the Burglary.

*Chriſtian Gray*, was Indicted for Forging a Will in the Name of one *John Chambers*, a Seaman, and ſwearing to it in *Doctors Commons*, and goes to the Navy-Office and receives 9 *l.* odd Mony, ſwearing her ſelf to be the Widow of the ſaid *Chambers*; but the Evidence was ſhort againſt her, ſo ſhe was Acquitted.

On *Fryday*, the 3*d* day of this Seſſions, *William Rutland* Junior, *Renatus Harris*. *John Watts*, *Henry Gandy*, and *Thomas Tyſoe*, of the Pariſh of St. *Michaels Cornhill*, *London*, were all five Indicted and Tryed for a High Miſdemeanor, in the Nature of it little leſs than Treaſon, as was ſet forth in the Indictment, thus: That the Priſoners, being Perſons of Evil Minds, Turbulent and Unquiet, little regarding the Duty of their Allegiance to our preſent King and Queen, but intending to terrifie Their Majeſties Subjects of this Kingdom, and to ſtir up and procure Sedition and Rebellion in and among Their Majeſties Leige People, and Their Majeſties Government, Title, Crown and Dignity now by Law Eſtabliſhed, to Scandalize, Viliſie and render doubtful, and to bring Their Majeſties faithful Subjects into Diſpair of Their Protection, and to deter and hinder them from Lending, Helping, and Supplying of Their Majeſties with Mony to carry on a War againſt the Common and known Enemies of the King and Queen, but alſo to Encourage and Comfort Their ſaid Enemies againſt them, did, on the 12*th* day of *February*, in the Second Year of Their preſent Majeſties Reign, in the Pariſh of St. *Michael Cornhil*, declare and publiſh, in the preſence of ſeveral of Their Majeſties Subjects, That any Perſon that would become Aſſurer to pay Mony in caſe the City and Caſtle of *Dublin*, in the Kingdom of *Ireland*, ſhould be in the Power or Poſſeſſion of any King, Prince or Potentate, or other Perſon whatſoever, at any time before the 25*th* day of *December* next, other than in the actual Poſſeſſion of King *William* and Queen *Mary*, or Their Heirs or Succeſſors, according, to the Eſtabliſhment of the Crown of *England*, they ſhould have 5 *l.* paid them as a *Premium* upon the Aſſurance of 100 *l.* and according to that rate for every other Summ in that caſe by any Perſon aſſured. This was the Charge in the Indictment, which was opened at large by the Council for the King and Queen to the Gentlemen of the Jury, ſetting forth all the Aggravating Circumſtances that attended ſuch a Politick Invention; eſpecially in that it tended to weaken the Government of this Kingdom, and ſerved to alienate the Hearts of Their Majeſties Subjects againſt them, and to Raiſe and to Stir up the Seeds of Sedition and Rebellion in the Hearts of the King's Enemies, &c. It was proved in Court, That Mr. *Harris* paid 25 *l.* Mr. *Rutland* 25 *l.* Mr. *Tyſoe* 5 *l.* Mr. *Watts* 10 *l.* and Mr. *Gandy* 5 *l.* This was fully proved by the Book of Policys, which was produced in Court as a farther Evidence againſt them, &c. The Priſoners Argued by their Council that they had no evil Deſign in doing it, it being a cuſtomary thing, long before this time, to venture Money upon the Inſurance of Ships at Sea, or the like; and that ſeveral Perſons had done this as well as they. But the Court highly reſented it as a thing of very dangerous Conſequence, telling them, That they ought not to take upon them to Enſure the Government. Then the Jury went out and brought them in Guilty of a High Miſdemeanor. Their Fines were theſe, *viz.* Mr. *Rutland* and Mr. *Harris* 200 *l.* Mr. *Watts* 200 Marks, Mr. *Tyſoe* and Mr. *Gandy* 100 Marks a piece, and that all of them find Sureties for their Good Behaviour until *Chriſtmas* next.

*William Bolton*, was Tryed for ſtealing a pair of Sheets, value, 10 *s.* the Goods of *William Pigg*. The Evidence ſwore, That he was a Lodger in *Pigg*'s Houſe, and took the Sheets off the Bed and carryed them away, which he confeſt before the Juſtice, but denyed it at the Tryal; but the Matter being plain, he was found Guilty to the value of 10 *d.*

*Edward Stent*, *Sarah Stent* alias *Walker*, and *Mary Smith*, were tryed for breaking the Houſe of *Anne England*, on the 11*th* of *March* laſt, in *East Smithfield*, and ſtealing away four ſcore and eight pair of Leather Gloves, value 4 *l.* 6 *s.* 10 *d.* and ſome Stockins and Ribboning, ſome of which were found upon the Priſoner *Edward Stent*, *viz.* a Knot of Ribbons tyed to his Breeches Knees, and eight pair of Gloves were found upon *Sarah Stent*, and ſome Gloves and Ribbons were found in *Smith's* Lodgings, and a pair of Gloves were found upon *Sarah Stent*'s Hands when taken. The Priſoners denyed it, and *Edward Stent*, being the chief Actor, he was found Guilty of Felony, but the Women were Acquited

*Alice Chamberlane*, was Indicted and Tryed for ſtealing from *Luke Page*, of St. *Buttolphs Aldgate*, on the 22*d* of *May* laſt, one Amber Necklace, value 15 *s.* a Laced Crevat, value 6 *s.* a Tippet, and ſeveral other Goods. The Evidence ſwore, That the Priſoner was a Servant to the Proſecutors Wife, and went away with the things in a Morning before her Miſtreſs was up, which ſhe confeſt before the Juſtice, *viz.* That ſhe ſtole the Amber Necklace and a Shift, which ſhe ſold upon the Road in the Country, about fifty Mile off of *London*, ſhe was found Guilty to the value of 10 *d.*

*John Browne*, was Indicted for ſtealing from *Charles Underwood*, Poulterer, of St. *Andrews* Pariſh, on the 5*th* of *March* laſt, three Cocks, value 3 *s.* three Rabits, and an Old Coney, value 18 *d.* three pound of Links, value 9 *d.* a pair of Sciſſers, value 6 *d.* Mr. *Underwood* ſwore, That his Shop was broken open, in *Brooks Market*, and the Goods gone; but he could not charge the Priſoner to be the Perſon, becauſe he did not ſee him, but the Goods were found upon him; ſo he was found Guilty of a Petty Larcenary.

*Jane Williams*, was tryed for ſtealing a pair of Holland Sheets, value 10 *s.* a Smock, value 3 *s.* an Apron, value 2 *s.* a Pettycoat and two Holland Pillowbears, &c. the Goods of *Thomas Clark*. The Evidence was Mr. *Clarks* Wife, who ſwore, That ſhe met the Priſoner upon the Stayrs coming down with her Goods in her Apron, which the Priſoner was not able to gain ſay, ſo ſhe was found Guilty to the value of 10 *d.*

*Honour Allen*, Wife, of *Richard Allen*, was tryed for breaking the Houſe of one *Webb* in *Whitechappel* and ſtealing divers Goods of good value. The Priſoner was ſeen to go into the Houſe, and ſome others in company, to the number of two more, ſince fled, on the 26*th* of *March* laſt, and ſhe was ſeen to come out of the Houſe with a Dark Lanthorn in her hand, which ſhe clapt between her Legs that it might not be diſcovered. The Priſoner denyed it, and had no witneſs, ſo ſhe was found Guilty of Felony and Burglary.

*Janet Dun*, and *William Martyn*, of *Stepney* Pariſh, were both Indicted for Feloniouſly taking away from one *Andrew Fryer* of *Eſſex*, on the 24*th* of *March*

*March* laſt, one Silver Tankard, value 7 *l.* a Silver Bowl, value 3 *l.* a Diamond Ring, value 15 *l.* 4 other Gold Rings, value 40 *s.* a Gold Seal Ring, value 7 *s.* a Cloak, value 7 *l.* 12 Spoons, value 7 *l.* a pair of Holland Sheets, value 40 *s.* a pair of Doe Skin Gloves, value 2 *s.* an Iron Spur, value 4 *d.* a Beaver Hat, value 3 *l.* a quarter of a pound of Whipcord, value 6 *d.* and five pounds in Money; but the Fact being done in *Eſſex*, they were ordered to be returned thither to take their Tryal, *&c.*

*Thomas Darlington*, was tryed for ſtealing an old Coat from *Joſeph Ewer* of St. *Martins in the Fields*, on the 2*d* of *February* laſt. The Priſoner ſaid, That he did borrow the Coat of the ſaid *Ewer*, and it was of a very ſmall valve, ſo he ſold it; as he confeſt in Court, he was found Guilty to the value of 10 *d.*

*Rebekah Dennis* alias *Cook*, and *Martha Herbert*, were both Indicted for Robbing *Joan Marſhal*, on the 22*d.* Inſtant, of two Silk Hoods, value 9 *s.* 1 Scarfe, value 10 *s.* 3 Lac't Coives, halfe a Dozen of White Hoods, and divers other Goods, *&c.* The Witneſſes ſwore, That ſhe loſt her Goods, and the Priſoners Lodged in the ſame Houſe with her, and no body was in the Houſe when the Robbery was done, but the Priſoners, who threw the Goods out of a Window; So they were found Guilty of a Petty-Larcenary.

*Thomas King* and *Sarah King* alias Norris, were both Tryed for ſtealing a Silver Tankard, value 6 *l.* on the 20*th* Inſtant, from *George Franklin*, in *King ſtreet* in St. *Gile's*. There was none in the Room where the Tankard was in a Cloſet, but the Priſoners, who came in to drink, it being a publick Houſe and went away, leaving a Penny to pay. The Priſoners denyed it, and came again the next day; So that they were both Acquited.

*Mary King*, was Indicted for ſtealihg from *James Wills*, of St. *Martins in the Fields*, on the 25*th* of *February* laſt, 2 Pair of Holland Sleeves, 3 Handkerchiefs; but no Evidence appearing againſt her, ſhe was Acquitted.

Likewiſe *Anne Kendal*, was Indicted for ſtealing two Pair of Stockins and ſome Sleeves; but there was no Evidence came in againſt her, ſo ſhe was immediately Acquitted.

*Mary Kemp*, was Tryed for breaking the Houſe of *Hugh Griffeth*, of *Weſtminſter*, and taking away a Sattin Petticoat, value 5 *l.* Two Spoons, value 20 *s.* a Silver Fork, value 7 *s.* and divers Damask Napkins, with others Goods of conſiderable value, from *Hugh Griffeth*. Mrs. *Griffeth* ſaid, That *Hugh Griffeth* Married her on the 17*th* of *November* laſt, and that day Fortnight he brought the Priſoner, being his firſt Wife, and Robbed the Proſecutor of the Goods. *Griffeth* lyes now in *Newgate* for a Robbery on the High way; So the Priſoner, being the firſt Wife, ſhe was Acquitted according to Law.

*Charles Tomkins*, was Tryed for ſtealing, on the 2*d* of *July* laſt, ten Yards and a half of Perſian Silk, value 43 *s.* from *Urſula Charlton*; but the Evidence not being ſtrong enough, he was Acquitted.

*John Ran* and *Nicholas Upſtone*, were both Arraigned for ſtealing a Silver Cup, value 40 *s.* from *William Higginbottom*, to which they both pleaded Guilty.

After the Tryals were over, the Court proceeded to give Judgment as followeth:

*Burnt in the Hand* 9.

| | |
|---|---|
| Robert Toplady | Elizabeth Askew |
| John Symons | John Newell |
| D— L— | Edward Stent; *and* |
| Dorothy Cooper | William Bizzle, *formerly Convicted.* |
| Elizabeth Hale | |

*Ordered to be Tranſported* 5.

| | |
|---|---|
| John Thomſon | Nicholas Upſtone |
| John Leech | *and* |
| John Anderſon | John Ran. |

*Received Sentence of Death* 21.

| | |
|---|---|
| William Riggs | John Story |
| Anne Harris | Henry Win |
| Elizabeth Wilſon | George Read |
| Elizabeth Walton | William Selwood |
| Ruth Stanes | William Mackquear |
| Elizabeth Fairbank | Peter Deſine |
| Henry Powell | Elizabeth Deale |
| John Grymes | William Phipps |
| Charles Smith | James Selbey |
| K——J—— | Honour Allen *and* |

John Ray, *who was Convicted laſt Seſſions for Coyning Mony, was Ordered to be Executed among the reſt that ſhall Suffer. He did, on* Fryday *during the Seſſions, endeavour to make his Eſcape out of the Gaol, by Attiring himſelf in Womens Apparel, geting as far as* Warwick-lane *end before he was diſcovered,* &c. *He ſaid the reaſon why he did ſo, was, becauſe the Terror of Death did affright him; not that he was any ways Guilty: For which Impudent Expreſſion he had a ſevere Repremand from the Court,* &c.

*Reprieved after Judgment* 5.

| | |
|---|---|
| Anne Harris | Elizabeth Fairbank |
| Elizabeth Wilſon | *and* |
| Ruth Stanes | Elizabeth Walton. |

*Ordered to be Whipt* 10.

| | |
|---|---|
| Elinor Clark | Thomas Darlinton |
| William Bolton | Rebekah Dennis |
| Alice Chamberline | Martha Herbert |
| John Browne | Anne Stubbins *and* |
| Jane Williams | Charles Pearſon, *tryed formerly, from* Newgate *to* Aldgate, *the reſt from thence to* Holbourn Bars, *after the uſual manner.* |

On *Saturday*, the laſt day of the Seſſions, the Lord *Preſton* was brought into Court, and they gave him to underſtand, That the King's Council had moved that Execution might be Awarded againſt him, as in the Caſe of High-Treaſon; and that it was the Courts Duty to give his Lordſhip notice of the ſame, in order to Prepare him ſelf for Death.

To which the Lord *Preſton* Replyed, *That the time ſince his Condemnation had been ſpun out only by the Mercy of the King; and that when the High Sheriff gave him notice of his Execution, it was a very great Surprizal to him, for that he had always a kind of an aſſurance in himſelf he ſhould receive Pardon; but ſeeing it was ſo determined, he humbly requeſted the Court to bear witneſs of the manner of his Behaviour ever ſince he received Sentence of Death, and hoped the Court would be pleaſed to acquaint His Majeſty with the ſame.*

To which the Court anſwered, That they could do no more, ſeeing the Judgment was determined, but give his Lordſhip timely notice of the ſame, hoping his Lordſhip would Prepare himſelf for that Day.

Then he was remanded back to *Newgate*.

The ſame day Mr. *Edmond Elliot*, who was Indicted for High Treaſon with the Lord *Preſton*, gave in Bayle to appear next Seſſions.

*William Rutland*, *Renatus Harris*, *William Gandy*, *John Watts*, and *Thomas Tyſoe*, according to Order of Court, gave Suerties for their Good Behaviour until *Chriſtmas* next, and to appear in Court at that time.

*Mary Ingle* gave Bayle to appear next Seſſions, in order to plead Their Majeſties Pardon, for killing *Anne Townſned* by Misfortune.

There were abundance of Priſoners that were ordered to remain till next Seſſions, and ſeveral gave in Bayle for their appearance to anſwer their ſeveral Indictments.

The next enſuing Seſſions was ordered to begin at *Juſtice-Hall* in the *Old-Bayly*, on *Wedneſday* the 27*th* day of *May* next, *&c.*

*God Save K.* WILLIAM *and Q.* MARY.

*THO. PILKINTON*, Mayor.


## ADVERTISEMENTS.

☞ The Athenian Mercury; *Reſolving Weekly all the moſt Nice and Curious* Queſtions *propoſed by the Ingenious, and ſent by the Penny-Poſt Letters or otherwiſe to Mr.* Smith's Coffee-Houſe *in* Stocks-Market. *This Paper will be publiſhed conſtantly on* Tueſdays *and* Saturdays: *and at the end of every Volum, which will be* Numb. 30. *we deſign to add the Tranſactions and Experiments of ſeveral Engliſh* Vertuoſo's, *and whatever elſe is* Curious *that ſhall be ſent us from time to time: As alſo the* Acta Eruditorum Lipiæ. *The* Paris Journal des Seavans: *The* Giornali de Letterati, *printed at* Rome; *and the* Univerſal Hiſtorical Bibliotheque, *&c. which is now Tranſlating in order to it.*

☞ *There is now Publiſhed, The Plain Chriſtian's Guide; or, True Religion and Undefiled, in all its Principal and moſt Uſeful Branches, both as to Belief and Practice, Briefly Stated and Explained to the meaneſt Capacities: Wherein alſo the Chief Points in Diſpute between Us and the Church of* Rome *are diſcuſſed.* Printed for *Langley Curtiſs*, at Sir *Edmondbury Godfry's Head*, near *Fleet Bridge.*

*** *If any Gentleman or Ladies of Quality are deſirous to learn to ſpeak Latin or French fluently and that Truly and Properly, according to Grammar-Rules, and to Explain any Author,* Ch. Switerda, *Eſq; will wait on them twice a Week. He Teaches alſo in* Clements-Lane, *near* Canon-ſtreet, *at the* Coffin, *and in* Chancery-Lane, *next* Lincolns Inn *Coffee-Houſe at Mr.* Goffs, *and in* Ax-Yard, Weſtminſter, *at Mr.* Clairs; *where you may have French and Latin Hiſtorical Cards, which teacheth to turn Latin into French, and French into Engliſh: You may alſo have a Pack of Latin-Political-Cards at the ſaid places, very fit for Young Gentlemen.*

*** *Theſe are to give Notice to all Perſons, for the Benefit of the Publick, That Mr.* Elmy, *Profeſſor of Phyſick, and Operator, of known Integrity, and above* 25 *Years practice, liveth at the* Blue Ball *in* Whale-Bone Court, *at the lower end of* Bartholomew-lane *by the* Royal Exchange, *who moſt ſafely and expeditiouſly Cures* Deafneſs *and* Noiſe in the Ears *in any of what Age ſoever, (if Curable) and at firſt Sight, by Inſpection, Reſolves the Patient if ſo or not, as moſt Eminent Perſons of Quality in this City can Teſtifie. He hath likewiſe a moſt excellent Gargariſm or Mouth-Water, which will make black or yellow Teeth as white as Ivory, in a few times uſing; and it will certainly cure the Scurvy, and all other Diſeaſes incident to the Mouth, Teeth and Gums, which in many perſons cauſeth a ſtinking Breath, which (by the Bleſſing of God, and the uſe of this Water) I dare affirm you will be freed from thoſe Malaaies before mentioned, with Directions.*

*** *In* Plow-Yard *in* Grays-Inn-Lane, *lives Dr.* Thomas Kirleus *a Collegiate Phyſician, and Sworn Phyſician to* Charles II. *until his death: Who, with a Drink and Pill, (hindering no Buſineſs) undertakes to Cures any Ulcers, Sores, Swellings in the Noſe, Face, or other parts, Scabs, Itch, Scurfs, Leproſies, and Venerial Diſeaſe, expecting nothing until the Cure be finiſhed. Of the laſt, he hath Cured many hundreds in this City, many of them after Fluxing, which carries the evil from the lower parts to the Head, and ſo deſtroys many. The Drink is* 3 s *the Quart, the Pill* 1 s. *a Box with Directions, a better purger than which was ever given, for they cleanſe the Body of all impurities, which are the cauſes of Dropſies, Gouts, Scurvies, Stone or Gravel, payns in the Head and other parts; with another Drink at* 1 s 6 d *a Quart, he Cures all Feavers and hot Diſtemper without Bleeding, except in few Bodys. He gives his Opinion to all that writes or comes for nothing.*


*London*, Printed for *Langley Curtiſs* at Sir *Edmondbury Godfry's Head* near *Fleet-Bridge*. 1690.

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# THE PROCEEDINGS ON THE King and Queens Commissions OF THE Peace, and Oyer and Terminer, and Gaol Delivery of Newgate, held for the CITY of London, and COUNTY of Middlesex, at Justice-Hall in the OLD-BAILY.

On *Wednesday*, *Thursday*, *Friday*, and *Saturday*, being the 9th, 10th, 11th, and 12th Days of *September*, 1691. *And in the Third Year of Their* MAJESTIES *Reign.*

THE Sessions of *Peace*, *Oyer* and *Terminer*, and Gaol Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Wednesday*, *Thursday*, *Friday*, and *Saturday*, being the 9th, 10th, 11th and 12th Days of *September*, 1691. before the Right Honourable Sir *Thomas Pilkington*, Kt. Lord Mayor of the City of *London*, and Mr. Common Serjeant, with several others of Their Majesties Justices for the City of *London*, and the County of *Middlesex*.

*The Jurors were as follow:*

| London Jury, | Middlesex Jury, |
|---|---|
| *Henry Mortlock* | *John Page* |
| *Jonathan Robinson* | *John Millgate* |
| *James Knapton* | *Michael Shepherd* |
| *Joseph Watts* | *Robert Herbert* |
| *Joseph Stretton* | *John Tignall* |
| *John Overton* | *Thomas Farmer* |
| *Richard Green* | *Francis Browne* |
| *William Smith* | *Abraham Honour* |
| *Robert Reynolds* | *John Newman* |
| *Chamberlain Dunn* | *Robert Sanny* |
| *William Chamberlaine* | *Thomas Sanny* |
| *Joseph Wells.* | *John Smith.* |

*The Proceedings were these:*

*Christopher Ashley*, alias *Browne*, was Tryed for Felony, Burglary and Sacriledge, in Robbing the Parish Church of *Great St. Bartholomews, London*, in *November* 1689. carrying away the Pulpit-Cloth, and all the Communion Plate, of very great value. The Evidence was, That he confest that he was assisting to *Collet*, (who was Executed last Sessions) in stealing the Plate, and that he had 30 *l.* to his share. The Prisoner denyed it, but he had no Proof on his side; he was found Guilty of the Indictment.

*Thomas Sherwin*, was Tryed for breaking the House of *Martha Bolton*, Widow, in *Black-Fryers*, on the 3*d* of *February* last, taking away 4 Silver Spoons, value 40 *s.* and 30 *l.* in Money. The Evidence was, That the Chest was broke open, and the Money lost; but it being presumptuous against him, he was Acquitted.

*Robert Chester*, was Tryed for killing one *Elinr Smith*, Widow, with the Near Wheel of his Cart, in *Toames-street*, on the 7*th* of *July* last. The Cart Wheel was seen to run over her Foot and bruised it, after which she dyed the 13*th* of *August*. The Chyrurgeons gave their Opinions that it might hasten her Death; but she was a very Ancient Person, and was otherwise Distempered; so upon the whole he was Acquitted.

*Thomas Towns* and *Valentine Knight*, were both Indicted for a Robbery on the High-way, committed upon the Body of Sir *Oliver St. George*, Knight and Baronet, on the 8*th* day of *August* last, taking away a Silver Hilted Sword, value 40 *s.* The Prosecutor was set upon in St. *James's-street*, by two or three Men, and his Sword was snatcht from his Side, but it being dark he could not discover the Persons; so they were Acquitted.

*Phillip Harper*, alias *Walton*, Gent. was Tryed for the wilful Murther of one *David Hughes*, on the 6*th* of *June* last, giving him a Mortal Wound with a Sword, near the Right Pap, of the depth of six Inches, of which he Instantly dyed. There was a Quarrel arose between the Prisoner and the Deceased, in a Publick House at *Charing-Cross*, and *Hughes* was seen to strike *Harper* first; after which, *Harper* drew his Sword to defend himself; so he was found Guilty of Manslaughter.

*Lewis L'Roach*, was Tryed for picking the Till Box of one *Martha Latham*, Widow, on the 25*th* of *July* last, of 15 *s.* The manner thus: The Prisoner came to her Shop pretending to buy somewhat, and whilst the Apprentice was busie, he threw a piece of Whale-Bone, which was shewed in Court, into the Till; which, being dresst beforehand with Bird-Lyme, brought up the Money; he was taken in the very Act, so he was found Guilty to the value of 10 *d.*

*Bernard Clark*, was Arraigned for stealing 16 Gold Rings, and several other Goods of value, from *Edward Carrel*, on the 24*th* of *June* last; to which Indictment he pleaded Guilty, *&c.*

*Elizabeth Hambleton*, was Tryed for stealing two Silver Cups, value 3 *l.* the Goods of *Robert Simpson*, on the 29*th* of *June* last; but the Evidence being short, she was Acquitted; and the Cup being found in the Custody of one *John Mayle*, who was brought an Evidence against the Woman, he was taken into Custody, and a Bill of Indictment ordered to be preferred against him; upon which he was Tryed, as hereafter may be seen.

*V——J——*, was Tryed for Robbing the House of one *Thomas Cox*, and taking away a white Dimmity Counterpane, value 9 *s.* and a Bundance of small Linnen contained in a Trunk of Mr. *Cox's* Servants. The Prisoner came to Mr. *Cox's* House, and under a pretence of speaking with some Lodgers in the House, took away the Goods, which were found in her Apron before she went out of the House: she was not able to disprove it, so she was found Guilty to the value of 10 *d.*

*Roger Harry Young*, was Arraigned for ſtealing a Silver Tankard, value 5 *l.* from one *Thomas Ralph*; to which he pleaded Guilty, *&c.*

*Edgerton Brett*, Gent. was Tryed for killing one *William Benbridge*, on the 9*th* of *Auguſt* laſt, giving him a Mortal Wound, near to the Groyne, with a Rapid, value 5 *s.* of the breadth of one Inch, and the depth of ſix Inches, of which he dyed. He was likewiſe Indicted upon the Statute of ſtabbing, for that the ſaid *Benbridge* had no Weapon when the Priſoner firſt Aſſaulted him. The Evidence in the general Depoſed, That Mr. *Brett* going along the *Rose and Crown-Court*, in *Grays-Inn-Lane*, where the Deceaſed was ſtanding, about 10 of the Clock at Night, with another Man to whom he gave a blow with his Gloves, upon which he ſaid, that was unkind; after which, Mr. *Brett* drew his Sword, and firſt cut the deceaſed over the Shoulder, and then run him into the Belly. The Priſoner ſaid, That the Deceaſed purſued him, but did not prove it; and that which aggravated the Fact, was, That he fled away, and was taken lying upon the Ground in the Street, with a naked Sword lying by him bloody. The matter was very poſitively demonſtrated; ſo he was found Guilty of willful Murther.

*Joſeph Stykes*, alias *Smith*, was Arraigned for ſtealing a Silver Tankard, value 15 *l.* two Spoons, value 16 *s.* a Gold Ring, value 5 *l.* two Guineas and a French Piſtol from *Lucy Rapely*, Widow, on the 29*th* of *Auguſt* laſt; to which he pleaded Guilty.

*Francis Pelling*, was Indicted for the willful Murther of one *Mary Kinkid*, on the 18*th* of *July* laſt, with a Rapier, value 5 *s.* giving him a Mortal Wound, near the left Pap, of the depth of ſix Inches. The Evidence depoſed, That the Deceaſed, *Kinkid*, was ſtanding at the Door of the *Two Loggerheads* in *Drury-Lane* with ſome others, and the Priſoner came by and threw a Flint-Stone at him, ſwearing that he would be his Butcher, and if a Stone would not kill him, he would cut his Throat with a Caſe-Knife, which he uttered with a Deprecation of *God to Damn him*; that there had been a long Difference betwixt them, for that the deceaſed had oftentimes injured the Priſoner, by endeavouring to take his Wife from him, which was lookt upon as a great Affront to him; ſo he was found Guilty of Man-ſlaughter.

*Margaret Swanſon*, was Tryed for ſtealing from *Edward Draynor*, on the 17*th* of *July*, one Silver Spoon, value 10 *s.* a Silver Fork, value 10 *s.* The Evidence ſwore, That ſhe was a Servant to Mr. *Draynor*, and took away the Goods, and offered them to ſale at a Brokers in *Holborn*, where ſhe was ſtopt, and was found in ſeveral frivelous Storys there; but at laſt ſhe confeſt to have taken the Spoons from her Maſter aforeſaid; ſhe was found Guilty to the value of 10 *d.*

*Godfrey Carrick*, was Tryed for Robbing *Elizabeth Pachey* of a Silk Jacquet and a pair of Breeches, on the 17*th* of this Inſtant *September*, the Goods of one *Henry White*, he ſecretly took it from her as ſhe was going along an Alley near *Dukes Place*, about ſeven of the Clock at Night, and ſhe was certain that he was the perſon. He denyed it, but had confeſt it before the Juſtice; ſo he was found Guilty to the value of 10 *d.*

*Thomas Green*, of St. *Giles Cripplegate*, was Tryed for the wilful Murther of his Wife *Martha Green*, on the 9*th* of *May* laſt. The Evidence was numerous, who depoſed in the general, that the Priſoner was a Perſon of a very Rude Behaviour, and had beat his Wife upon the Breaſt, Back and Belly, by kicking and ſtriking her, inſomuch that ſhe was very much bruiſed in ſeveral parts of her Body, of which ſhe complained to her Neighbours when ſhe lay languiſhing upon her Death-Bed, and to ſome Miniſters that came to viſit her; and juſt as ſhe was departing the World, the Priſoner came to kiſs her, but ſhe immediately ſcreekt out and refuſed to Imbrace him: After which he ſaid, That he had done her wrong, but it was chiefly the Devil that put him on; beſides this, he had Tore her with ſome Inſtrument in her Privy Parts, in a moſt horrid manner, and when ſhe died ſhe laid her Death to her Husband, *&c.* He oftentimes threatned the Neighbours to do them a miſchief whenſoever they reproved his Inſolency, as they witneſſed againſt him: But the Priſoner alledged, That his Wife had been ſick before, and called ſeveral Witneſſes, who ſeemed to ſay, That he had behaved himſelf fairely in time paſt; and pretended, That it was Malice in the Proſecutors. The Jury well weighing the Evidence on both ſides, Acquitted him.

*Elinor Fox* and *Mary Thinn*, were both Tryed for ſtealing a piece of Stuff from one *George Walker*. They came to the Shop under pretence of buying ſome Goods, and one of them took the piece of Stuff, which was found upon her. They were both found Guilty of a Petty Laecnary.

*Matthew Earſel*, *Old Mobb*, *Ruth Reynolds* and *Edward Biggs*, were all Indicted for that they, together with one *James Whitney* not taken, did break the Houſe of *Joan Flanders*, on the 17*th* of *Auguſt* laſt: *Biggs* confeſt the Indictment upon his Arraignment; but the Evidence againſt the reſt was Mrs. *Flanders*, *&c.* who ſaid, That they encompaſſed the Houſe, being *Enfield Water-Mill*, and broke it open, about 10 or 11 of the Clock at Night, and took away 20 *l.* in Money, with abundance of Plate and wearing Apparel, of a very conſiderable value, *viz.* 300 *l.* They came in and ſwore great Oaths that they would kill them all, if they would not ſhew them where the Money and Plate lay, which they were forced to do out of Fear; and after they had got the Booty they went off; and afterwards, *Earſel* was found with Rings about him, in *Long Acre*, one of which was owned by the Proſecutor, and a Spoon and Silver Cup was found in the Hair of *Reynolds*; but ſhe was Wife to one *Reynolds* who ſwore againſt the reſt in cuſtody in *Newgate*, ſo ſhe was Acquitted; but *Earſel* and *Old Mobb* were concerned in the Robbery; *Earſel* held their Horſes whilſt the reſt Robbed the Houſe, for which he had 25 *l.* for his ſhare. They had little to ſay, eſpecially *Old Mobb*, ſo they were both found Guilty of Felony and Burglary.

*Lawrance Dadſon*, was Tryed for making an Aſſault upon *Thomas Strickland*, Gent. in the King's High-way, on the 10*th* of *Auguſt* laſt, taking from him a Cloth Coat, value 4 *l.* a pair of Brocade Breeches, value 3 *l.* an Indian Silk Waiſtcoat, value 40 *s.* a Bevor Hat, value 3 *l.* 14 Muſlin Neckcloths, value 3 *l.* 10 *s.* 10 Guineas, and 40 Shillings in Money. The Evidence was Mr. *Strickland*, who ſaid, That he was ſet upon near *Hounſlow* by ſeven or eight Perſons, and loſt his Goods; but he could not charge the Priſoner poſitively: But there was other Evidence produced, that proved him to be one that helpt to commit the Robbery, and ſome of the Goods were produced in Court as further Evidence. The Priſoner urged, that he was ſpightfully ſworn againſt by one of the Evidence, but the Matter of Fact was plainly ſworn; ſo he was found Guilty of Felony and Robbery.

*Alexander Driver*, was Indicted for Robbing one *Francis Lepeer*, on the 3*d* of *June*, 1690. of 4 pair of Sheets, value 15 *l.* 17 Yards of Silk, Crimſon Damask, value 7 *l.* 25 Yards of Pud-a-way Serge, value 40 *s.* Mr. *Lepeer* depoſed upon Oath, That the Priſoner had lived with him as an Apprentice, being an Upholſterer, for three Years, and then Robbed him as he ſuſpected. The Priſoner called ſome Evidence as to his Reputation in the general; but it was further ſworn, that he offered Silk to ſale for 20 Shillings, but did not ſell it. The Evidence for him ſaid, That he had behaved himſelf honeſtly in his Service before this time; ſo the Jury Acquitted him.

*Thomas Banks*, was Tryed for Murther, in driveing his Coach over the Head of one *Prudence Chapman*, a Child, aged about two Years, on the 31*ſt* of *July* laſt. The Evidence ſwore, That the Priſoner was driving along *Cow-ſtreet*, in *Bloomsbury*, and the Child happened to be in the way, and accidentally run over it; at which the Coachman was very much Conſternated, and very ſorry for ſo ſad a Caſualty. The Jury found the Matter Special, till further conſidered of by the Court.

*Charles Collins*, was Tryed for the Murther likewiſe of one *Sarah Swannick*, an Infant, on the 12*th* of *Auguſt* laſt, by driving a Cart over her Short Ribs. The Priſoner was driving a Brick-Cart along St. *Giles's-ſtreet in the Fields*, and the Child ſtood in the way, but the Evidence did believe he did not ſee the Child. The Priſoner did not deny it, and he confeſt the Coroners Inquiſition that he did it by Misfortune; ſo he was Acquitted.

*H—— M——*, *B—— T——* and *A—— T——* his Wife, were Tryed for Clipping the Current Coyn of this Kingdom, in the Pariſh of S. *James Clarkenwell*, on the 16*th* of *July* laſt. There was found in *M——'s* Houſe, in a Gorret-window, 4 pieces of Clippings, 10 Copper Half-Crowns, 4 Braſs Shillings, with Shears and the reſt of the Implements fit for ſuch a Trade, which were all produced in Court againſt them: the Shears were found in the Vault, and ſome Files in another place. They all denyed it at the Tryal, but they had a very bad Repute amongſt their Neighbours, and made no good Defence, ſo *M——* and *T——* were found Guilty of High-Treaſon, but *A——* was Acquitted.

*Sarah*

*Sarah Johnson*, was Tryed for Robbing *Thomas Wanklin*, Esq; on the 26*th* of *August*, of 32 Guineas, one King *James* the First's 20 Shilling piece of Gold. The Evidence was Mr. *Wanklin* and others, who said that she was his Servant, and entrusted with the Gold and the Key where it lay; but the Indictment being not laid for Felony, but for a breach of trust, a new Bill was preferred against her at Common Law, upon which, after a long hearing, she was Acquitted.

*Elizabeth Aldridge*, was tryed for stealing three Silver Spoons, value 30 *s.* a Taster, value 7 *s.* a Thymble, value 18 *d.* about the 20*th* of *August* last, from one *John Hater*. She was his Servant, and run away with the Spoons which was found upon her, and she could not deny it; so she was found Guilty to the value of 9 *s.*

*Elizabeth Smith*, a Girle, was Indicted for that she, together with one *Alice Merser* not taken, did Rob one *Henry Hartis*, about *Whitsuntide* last, of a Hair Camblet Cloak, value 4 *l.* a Cloth Coat, value 40 *s* a Waistcoat, value 15 *s.* a Hood, value 7 *s.* a Pettycoat, value 5 *s.* The prisoner and the other, *viz. Merser* were Lodgers in the prosecutors House, and run away with the Goods. The Cloak the prisoner had pawn'd to a Broker, one *Brench*; the prisoner having little to say, she was found Guilty to the value of 9 *s.*

*Adam Mackaffey*, was tryed for Felony and Burglary, in breaking the House of one *George Cromwell*, on the 17 of *Feb.* last, taking away one Silver Tankard, value 7 *l.* a Silver Cup, 20 *s.* one other Cup, 30 *s.* two Silver Mugs, value 3 *l.* a Porringer, value 5 *l.* a Silver Tumbler, value 50 *s.* a Silver Bowle, value 22 *s.* a Taster chased, value 5 *s.* and 6 *d.* and divers other Goods, besides 20 *l.* in Money. Mr. *Cromwell* said, That seven or eight Men came into his House, about six or seven of the Clock, at *Sunbury* in *Middlesex*, and bound him and all his Family, and swore terrible Oaths that they must have his Money, the Prisoner, he believed, was one of them; afterwards, his House being searcht, at the *Kings Head* in *Crown-Court* in *Chancery-Lane*, there was a Trunk found with some of the Goods made up in a Pillow-bare; but he denyed that he knew any thing of the Robbery. The Evidence further against him was, that he hired Horses, and ingaged for them, (pretending they were going to *Bratsford* to a Wedding) in order to carry on their design. The prisoner endeavoured to prove that he was not concerned any further than that he past his word for one Horse; he call'd some of his Neighbours as to his Reputation, who gave a good Account on't; and one Mr. *Collins*, his Brewer, proved that he was at home sick all that Day when the Robbery was done, which he very well remembred by a good Token, for that he received Money of the prisoner, which he made appear by producing his Account Book which was mark'd *February* the 17*th*, as above in the Indictment; so he was at last Acquitted.

*James Verbeck* and *Peter Prince*, were both Indicted for that they, the 10*th* of *June* last, did procure two Persons to go to the Lord *Nottingham*'s Office to get a false Pass for one *John Arnoll* and *William Ottall* to go to *Holland*. The first Evidence was one *John Demott*, a Dutchman, who said, that *Verbeck* came to him, and desired him to get a Pass for two poor Dutchmen to go beyond Sea, and bid him take the name of *John Arnoll* upon him, which he did, and had five Shillings paid him as a Reward, but he returned half of it back again. This *Demott* went first to the *Spanish* Embassador, with a Woman who had a good Acquaint[illegible] got a pass for him; after that, went t[illegible]try to know if that would be sufficie[illegible]other from the Earl of *Nottingham*, [illegible]ther Man, one *John Mowsal*, a Dutchman, who took the name of *William Ottall* upon him, and had half a Crown paid him by *Verbeck* for so doing. *Arnoll* declared in Court, that he agreed with *Verbeck* to give him 3 Guineas for the Pass, but afterwards he would not part with it under a Luadore more, adding that he could get 10 *l.* for it before Night. Mr. *Arnoll* and Mr. *Ottall* went as far as *Harwich* with the said Pass, but were stopt there by a Messenger and brought back, they being the wrong persons, and not those who went to *Whitehall* for the Pass. *Verbeck* made a long Story in his Defence to no purpose, and the Evidence did not so nearly affect *Prince*, so he was Acquitted, but *Verbeck* was found Guilty of a Cheat.

*John Bentley*, was tryed for stealing four Geldings out of the *George Inn* Stable in *Smithfield*, on the 18*th* of *July* last, the Goods of *Robert White*. The Evidence for the King deposed, That the Prisoner took the Horses out of the Stable and carry'd them to the *Bell Inn* and no further; and there was some Difference between them about a Debt that the Prosecutor owed the Prisoner, for which he had formerly Arrested him. The Prisoner said that the Horses were his, and the Prosecutor said they were his; so it could not be found that he had any Felonious intent, he was Acquitted.

*Thomas Browne*, was Indicted for stealing a black Stone-Horse, value 5 *l.* from *William Gladwell*, on the 25*th* of *April* last; but it was made out that he bought the Horse honestly, so he was immediately Acquitted.

*George Powell* and *Daniel Kirkham*, were both Indicted for Robbing the Play-House in *Salisbury-Court*, on the 23*d* of *July* last, of abundance of Silver and Gold Lace; but there was no Evidence produced that could charge the prisoners, so they were immediately Acquitted.

*Elizabeth Eaton*, was Tryed for Robbing *John Kitson* of a Silver Tankard, and some other Goods, which she confest in *Newgate* that she had taken them. She was found Guilty of the Felony.

*Theodore Shevalier* and *William Lewis*, were Tryed for endeavouring to Cheat one *Daniel Scott* of 5 Guineas, thus: *Shevalier* and *Lewis* comes to *Scott*'s shop, being a Sadler, and *Lewis* told him that *Shevalier* was an Agent under Colonel *Cook* and Colonel *Bingore* in *Ireland*, and that he had a Bill payable in the Treasury for 4000 *l.* with which he was to buy Accouterments for the Army, and he, being a Sadler, might sell Saddles and Bridles, desiring him to give him five Guineas in hand as a Pledge to incourage him; so also they went to one Mr. *Wickin* and *John West*, and to one *Apley*, to buy Boots and Shoes, the latter of which was to make all the Boots for the Regiments belonging to the aboveſaid Collonels, and was to receive 24 *s.* a pair for them; and to put a good Colour upon the Matter, the prisoners gave the Tradesmen aforesaid an Authority under *Shevalier*'s hand to make up Goods for the Use of the Regiments in *Ireland*, *&c.* and they gave Bond of performance of the Covenants made between them. *Lewis* declared that he knew nothing of any Trick in the Matter; *Shevalier* said he was surprized, and desired a little time wherein he would prove himself to be really an Agent to the Persons aboveſaid, which was granted.

*Owen Lavender*, was Tryed for a Misdemeanor, in saying, *That the Ministers of* Scotland *ought not to be Deprived of their Benefices, though they refused to Pray*

*for*

[illegible] King William and Queen M[illegible] that they were [illegible] the late King and Queen, [illegible] the Clergy of England ought to be Hang'd and Drawn'd, because they had [illegible] to them. The Evidence ſwore that he ſpoke the words, but he was in Drink, which the Priſoner did not deny, and ſaid that he did not remember the ſpeaking of it, and that he never ſaid any ſuch words. The Jury Acquitted him.

*John Male*, was Indicted for ſtealing from *Robert Simpſon* two Silver Cups, value 3 *l.* on the 29*th* of *June* laſt. It was Evidenced, That the priſoner had one Cup which he bought of *Elizabeth Hambleton* (before Tryed,) and he called ſome Witneſſes to prove that he came honeſtly by the Cup, ſo he was Acquitted.

*Edward Biggs*, was Tryed for that he, together with *James Whitney* not taken, did ſteal a Gelding, coloured Bay, price 3 *l.* from *George Barnſley*. He confeſt that he ſtole the Horſe before Mr. Juſtice *Jones*, and that *Earjel* and *Old Mobb* (before Tryed) was with him, and one *Reynolds* who ſwore againſt him (*viz.*) that they ſtole the Gelding out of the Grounds on the back-ſide of *Newington Green*: he was found Guilty.

He was a ſecond time Tryed for ſtealing a Mare, coloured Bay, price 4 *l.* the Goods of *Thomas Arnold*, out of his Grounds near *Newington-Green*, on the 24*th* of *Auguſt* laſt, which he confeſt before the ſame Juſtice aboveſaid; ſo he was found Guilty.

*Elizabeth Cripps*, was Tryed for ſtealing from *William Farmer*, on the 21*ſt* of *May* laſt, one Smock, value 7 *s.* a Silk Pettycoat, value 5 *s.* and an Amber Necklace, with other Goods, which was fully prov'd, ſo ſhe was found Guilty to the value of 10 *d.*

She was a ſecond time Indicted for Robbing one *William Jones*, on the 25*th* of *March* laſt, of five Holland Sheets, value 40 *s.* two Guineas, ſome wearing Apparel, and 28 *l.* in Money. Mr *Jones* ſwore that the priſoner was his Servant, and had lived ſome time with him, and that he had loſt Mony ottentimes; but he could not poſitively charge it upon her for want of Evidence, what he ſaid was only ſuppoſitions; ſo ſhe was Acquitted.

*Thomas Rickombey*, was Indicted for Robbing *Anne Page*, on the firſt of *June* laſt, of a pair of Sheets and other Goods; but no Evidence came againſt him, ſo he was Diſcharged.

*John Parkes* and *Mary Downing*, were both Tryed for ſtealing from *Thomas Parkinſon* in the *Minories*, on the 10*th* of *October* laſt, a pair of Curtains and Vallens, value 30 *s.* a pair of Sheets, forty pound weight of Feathers, a Looking glaſs, *&c.* The Chamber was Let to them by the Week, for two Shillings *per* Week, they came in on the *Friday*, and went away with the Goods on the *Monday* following; ſo the Court being divided in their Opinion as to point of Law, the Matter was left to a Special Verdict till further conſideration, and they only found Guilty of taking the Goods.

They were a ſecond time Indicted for ſuch another Offence, in Robbing *Lucy Page*, of *Whitechappel*, of a Rug, value 7 *s.* two Feather Pillows and a Cubbord-cloth, *&c.* They came in the ſame manner to *Pages* as they did to *Parkinſon*, and hired a Room, and lived two or three days there, and then took away the Goods which were found upon them; it was likewiſe left to a Special Verdict.

*Elizabeth Eaton*, was Tryed for ſtealing, on the 10*th* of *October* laſt, a Silver Tankard, value 6 *l.* the Goods of *John Rowel*, which ſhe confeſt ſince ſhe was in *Newgate*, how that ſhe lodged at *Rowels*, and after four days time ſhe watched where Mrs. *Rowel* laid her Key and took it and unlockt the Cubboard, and carried away the Tankard, *&c.* ſhe was found Guilty.

She was a ſecond time Indicted for ſtealing a Silver Salt, value 4 *l.* 15 *s.* from *William Dimſdale* in *October* laſt; ſhe was a Lodger likewiſe in his Houſe, and ſhe ſeeing the Salt in the Buttery, ſaid, in the hearing of ſome Perſons, That there was but one thing that ſhe likt which was the Salt; and a little time after ſhe went into the Yard and made her eſcape, and preſently the Salt was miſſing: She owned it when taxed at firſt, and would have given Bond for to pay for it, ſhe denyed it all, and was lookt upon as a very ill Woman, ſo ſhe was found Guilty.

*Thomaſin Blake* alias *Burton*, an Old Offender, and *Sarah Williams*, were Tryed for ſtealing from *Richard Heron*, on the firſt of this Inſtant *September*, a Serge Mantua Gown, value 6 *s.* a Drugget Gown, value 6 *s.* They went into the Shop to cheapen ſome Goods, and *Blake* put the Gowns into her Pettycoat, which ſhe denyed ſtifly to do; *Williams*, but in the concluſion *Blake* was found Guilty to the value of 10 *d.* but *Williams* was Acquitted.

*John Williams* alias *Barrett*, was Indicted for Robbing *Th. Southwood*, of *Stepney*, of a Serge Coat, value 10 *d.* The priſoner was with the proſecutor where he was at work, and whilſt his Back was turned he went into the houſe and run away with the Coat under his Arm. The priſoner ſaid that he found the Coat in the Street; but *Southwood* was poſitive, ſo he was found Guilty to the value of 10 *d.*

*George Bird* and *Elizabeth Bird* his Wife, alias *Elizabeth Bowe*, were Tryed for Robbing *Ingleby Kelſon*, on the 18*th* of *Auguſt* laſt, in the Street, of a Gold Ring, value 10 *s.* a Guinea and a half Guinea, and 7 *s.* in Money; he was ſet upon in the Street near the *Savoy* by ſome Soldiers, and he ſaid that *George Bird* knockt him down, and the Woman was with him, and they took away the Rings and Money, ſo *Bird* was found Guilty, but his Wife was Diſcharged.

*Sharuch Plant*, was Tryed for keeping a diſorderly Houſe, and harbouring of Thieves. One *Reynolds* ſwore, that as he and the other Thieves, *viz. Whitney*, *&c.* were wont to ſteal Horſes, they carryed them to his Houſe at *Chelſey*, where he would ſecure them in a private Stable when they were put in the *Gazette*, *&c.* The priſoner owned that they brought Horſes to his Houſe but he did not know that they were ſtole; but the Evidence for the King further ſwore, that he would ſit up Nights to receive the Horſes when the Robbers came back from Robbing of Wagons and Coaches, *&c.* and they gave him forty ſhillings for ſitting up one Night above all the reſt, and his liberty to take his choice of the Booty: But after all this, he produced ſeveral Subſtantial and Creditable Perſons who were his Neighbours to vindicate his Reputation, which gave the Jury ſuch ſatisfaction, that he was Acquitted.

*Joſeph Traps Clark*, was Tryed for High-Treaſon, in that he being born in this Kingdom of *England* was made a Seminary Prieſt by the Authority of the See of *Rome*, in parts beyond the Sea, but did afterwards convey himſelf over into *England*, and in the Pariſh of St. *James Weſtminſter* did Traiterouſly abide, contrary to the Laws of the Kingdom of *England*. The Evidence ſwore that he was found in his Chamber at a ſuſpected Popiſh Meeting-Houſe in St. *James's-ſtreet*, where he was ſeized with ſeveral Latin Books, a Croſs with the Figure of Chriſt, ſeveral Prieſtly Veſtments and other Trinkets, as Cru-

cifixes,

Sixes, &c. but he was not seen to officiate as a Pa[illegible]; so could not be found Guilty upon that Indictment, but was discharged by the Jury.

*Elizabeth Rickonbey*, Wife of *Thomas Rickonbey*, and *Thomas* himself were Arraigned, for that she, together with *Sarah Whi[illegible]* not yet taken, did steal from *Jeremiah Gosnick* a Silver Ca[illegible]e, value 20 *s.* and 15 *s.* in Money: but no Evidence appearing they were discharged.

*John Williams*, a Soldier, was Tryed for breaking the Stables of one *Cundi[illegible]*, near adjoyning to the House of Doctor *Cornelius Tilbury*, in *Covent-Garden*, and stealing a Cloth Cloak, value 4 *l.* 10 *s.* a pair of Shoes, and other Goods of value. The Evidence could not charge the Prisoner particularly, so he was Acquitted.

*Margaret Ellis*, of *Westminster*, was Tryed for stealing a Watch with a Silver Case, value 3 *l.* from *Henry Lankton*, on the 5*th* of *July* last. She was a Lodger in Mr. *Lankton's* House, and got the Watch and went away with it, and was found at the *Sicilian Tavern* in *Drury Lane*: she said that her Husband gave her the Watch to pawn, but could not prove it: and she confest, when taken, before Mr. Justice *Ward*, that she took away the Watch, besides she absented from her Lodging. She was found Guilty to the value of 9 *s.*

*Elizabeth Smith*, was tryed for Robbing *Thomas Woolley*, on the 3*d* of *August* last, of two laced Cornets, value 28 *s.* a laced Crevat, value 30 *s.* a Smock and a Pinner, &c. She, with another Woman and a Man, came to *Woolleys* to drink, and took away the Goods: the Pinner she sold in *Bishopsgate-street*, at the *Katherine-Wheel-Inn*: she had confest it before the Justice, but denyed it at her Tryal, having nothing to say for her self that was material, she was found Guilty to the value of 10 *d.*

*Elizabeth Jones* of *Whitechappel*, was Tryed for stealing a Silver Tankard, value 4 *l.* five Pewter Dishes, value 15 *s.* on the 25*th* of *June* last, from *Elizabeth Bowen*, Widow. She was a Lodger in *Bowens* House in *Goodmans-Fields* about a Week, and then went away, after which the Tankard and Dishes were missing, which were in a Trunk, and the Hasp of the Trunk was forced out of the Staple. The prisoner denyed the Fact, and alledged that *Bowen* had several Lodgers in her House besides her who might take the Plate, but that was contradicted by the King's Evidence, who added that she was taken in *Leaden-Hall street*, and would have made her escape, being very unwilling to own the Robbery, so she wes found Guilty of Felony.

*B——— J———*, Gent. was Indicted for the wilful Murther of his own Wife *Elizabeth J———* on the 18*th* Day of *July* last; but before the Tryal proceeded a fresh Jury of Gentlemen were Empannel'd, whose Names are these:

| | |
|---|---|
| *Edward Knowls* | *Thomas Sutton* |
| *John Milner* | *Charles Drumfeild* |
| *William Webb* | *John Outting* |
| *William Dinn* | *Robert Longland* |
| *Richard Bealing* | *John Burchet* |
| *Gilbert Wharton* | *Robert Young.* |

After the Jury were Sworn, the Court proceeded to a distinct Tryal of the Prisoner; and the Witnesses being called on the Kings side, and Sworn, the first of which was one Mrs. *Godman*, who deposed, That the Prisoner's Wife was a Lodger at her House, at *Kensington* for about the space of 5 Weeks; at the latter end of which time, she observed her to be very Melancholy till the day before the Murther was done, which was on a *Friday*, and on *Saturday* Morning she was found Dead; she declared to her Landlady, Mrs. *Godman*, and her Family after Supper, on the over Night, that her Husband had sent for her into St. *James's Street*, about 7 a Clock, where she was going, and that she should not come home that Night: On the Morrow Morning about Six of the Clock, some of the Country Men found her lying at the end of *Kensington*, near the High-way, exposed in a very undecent manner; her Coats turn'd up, her Hand all bloody, lying upon her Thigh, her Throat cut, as also her Breast, with a Mortal Wound under her left Ear, her Face covered over with Blood, and a piece of a Case Knife, valu'd 1 *d.* lying betwixt her Face and her Hood, in a most horrible amazing, and most frightful manner, with her Body luke-warm: After the Murther was done, but before the Woman was found Dead, one of the Evidence Swore, That he saw a Man walking up and down a Field in the Grass, out of the Path-way, near whereto the dead Corps lay, throwing his hands abroad, Sighing, Lamenting, and bemoaning himself, in a most distracted manner, which he verily believed was the Prisoner at the Bar, but he was a matter of 15 Rood off him; then the Deceased's Brother, one Mr *Wilkis*, and others went to the Prisoner's Chamber, and having found him out, acquainted him, That his Wife lay Murthered in such a place, as aforesaid, at which he seemed not so much affected as might be expected, shuffling himself off from them, by pretending earnest Business else-where, desiring his Brother to seek after the Destroyer; but they not willing to let him go, carried him to an Ale-house hard by, where his Mother sending for him, they were perswaded to let him go to her, he before-hand ingeniously promising to return immediately again, which he did not; so after they had got a Justice of Peace's Warrant, the Constable found him at his Fathers House lock'd up in a Room; his Mother denying of him at their first entrance; being apprehended, his Fingers were found cut, his Cravat stained with two spots of Blood, he walking up and down the Room without his Hat: Being brought before the Justice, he was examined where he had been the Night before; to which Question he could give no satisfactory Answer; and as touching his cut Fingers, he gave but a frivolous Account, *viz.* That a Man assaulted him as he was going up Stairs into his Chamber about Eleven a Clock at Night, drew his Sword upon him, and would have Robbed him, as he thought, but he had no Evidence to prove it, only he called his Fathers Man and Maid to prove what time he went to Bed the Night before the Murther was done, which was about Eleven a Clock; but he was alone when he went to Bed, and the Maid had the Key given to her by the Prisoner, for the Man-servant to come to Bed, who lay in the next Room, but was at that time waiting upon his Father at his House, some distance from the Chambers, so that the Man did not see him that Night, nor speak to him: He offered also several other frivolous pretences by way of Extenuation, which did not tend at all to his Advantage.

So after about Four Hours fair hearing on both sides, the Jury went out, and having well considered, gave in their Verdict, That he was Guilty of Wilfull Murther.

*William Davis*, was Tryed for Robbing *Christian Cooper*, Widow, of a Necklace of Pearle, value 10 *l.* some Table-Linnen, *viz.* 22 Napkings, 14 Cambrick Handkerchiefs, &c. on the 8*th* of this Instant *Septemb.* The Prisoner was met with the Goods and Pearle

Necklace in *Drury Lane*, and there taken, and the Goods found upon him; for he was found Guilty of the Felony.

*Christopher Ashley*, was Arraigned upon two Indictments: The first for stealing the Goods of *Francis Lawrence*: the second for the Goods of one *Nath. Piggot*, to both which he pleaded Guilty.

The Trya's being over, the Court gave Sentence as followeth:

*Burnt in the Hand* 3.

**Bernerd Clark, Robert Harry Young, Philip Harper, Francis Pelling, Joseph Stykes, Sam. Smith, Elizabeth Aldridge, Elizabeth Smith** *and* **Margaret Ellis.**

*To be Transported* 1.

**William Davis.**

*Received Sentence of Death* 12.

**Christopher Ashley, Elizabeth Eaton, Edgerton Brett, B——J——, Edward Biggs, Matthew Barfell, Old Mood, Lawrence Dodson, H——M——, B——T——, George Bird** *and* **Elizabeth Jones.**

B——T—— for Clipping, was Sentenced to be Drawn on a Sledge to *Tyburn*, and there to be Hanged only and not Quartered. H——M—— for the same Treasonable Fact was ordered to be Burnt.

**Robert Trumball** *and* **Robert Adderton,** ***who were Committed last Sessions for Robbing Mr.* Thornycraft's *Shop in the* Strand *are ordered to be Executed with those who are to suffer this Sessions.***

*To be Whipt* 10.

**Gregory Carrick, Elinor Fox, Mary Thinn, Lewis L'Roach, W——J——, Margaret Swanton, Elizabeth Cripps, John Williams, Thomasin Blake,** *and* **Elizabeth Smith.**

*Thomas Banks* gave Bail to bring in his Pardon in course next Sessions.

*Thomas Rose*, the Boy, Convicted last Sessions for Publishing the two Libels the first intituled *The Trimming Court Dissected*, the second about the late Lord *Russel's* Ghost was ordered to be set in the Pillory according to the Sentence last Sessions.

*James Wyburd* was ordered to be set in the Pillory, once at *Charing-Cross*, a second time at the *Maypole* in the *Strand*, and to pay 5 *l.* as a Fine, and to find Sureties till all be performed.

*John Redman* was called to answer to an Indictment for a Misdemeanor committed by him, in printing a Seditious Libel Intitulated *An Office for Penitence, or, A Form of Prayer to be used in Sinful and Distressful Times*. The Book was found in his Custody by *Robert Stephens* the King's Messenger, and produced in Court; being examined how he came by it, he said that it was brought to him by a Stranger, and would not own who it was, so he was Fined 100 Marks.

One *Thomas Wade*, who at *Cambridge* went by the Name of *Father Francis* a Priest, moved for a Habeas; but was continued to answer the Charge that shall be brought against him next Sessions.

Likewise one *Thomas Rose*, accused for High-Treason, gave sufficient Security to appear next Sessions.

*Phillis Harris* found Sureties for her Good Behaviour.

One *Daniel Reynolds* bound over by his Wife for beating of her, was Discharged by the Wives consent, promising in Court that he would be kind to her all the time to come.

One *Richard Cox*, charged upon Suspicion of Murthering his Wife in *Wiltshire* near *Wotton*, the Body being Found with her Neck and her Arms broken (in a most barbarous manner), was ordered to be sent thither to be Tryed at the next Assizes held for that County.

*John Gibbons* and *Richard Wilson*, with others concerned in the Riot [illegible] were ordered to remain till next Sessions, the Lord [illegible] being not all in a readiness to attend the Prosecution.

*Major Cornbury* and the rest of the Gentlemen who were Tryed the last Sessions for the Murder of the Watch-man in *Cheapside*, pled, that Majesties most Gracious Pardon might be allowed them, which they produced in Court; but because they had not observed a Week's Imbarrance for the time, it was disallowed, and put off till the next ensuing Sessions, &c.

*Elizabeth Morris* likewise moved to have her Pardon read, but could not obtain it for want of a Writ of Allowance, &c.

The next ensuing Sessions was ordered to begin on *Wednesday* the 14th of *October*, &c.

*God Save King* WILLIAM *and Queen* MARY.

*THO. PILKINGTON*, Mayor.

## ADVERTISEMENTS.

☞ The Second Volume of the Athenian Mercury, (*Its now Published*) *Resolving all the most Nice and Curious Questions, (proposed by the Ingenious of Either Sex, from Saturday, May the 30th, to Tuesday, August the 16th, 1692. Price 2s. 6d.* This Second Volume is neatly done in Marble Paper, with a General Title and Index to it, and a Preface, containing Rules for our Querists, exactly to observe in their Writing to us, and may be had of John Taunton at the Raven in the Poultry, where may also be had the First and Second Volumes of the Athenian Mercury, *Compleat*, the Supplement to every Beginning March the 25th, and each Book at the 18th, containing a brief Index of the most Valuable Books and Pamphlets *Printed in England, and in Foreign Parts.*

*** The Weekly Account of *Europe*: or the *Rational Journal*, &c. containing an Impartial Account of the Affairs of the Time, with Reflections on the Interests and Maxims of State of all the Princes and States of *Europe*, especially with respect to the present War and Confederacy against *France*; Being a Piece well approved of by the Learned and Curious, to be Publish'd every other Saturday, in one Sheet, by Langley Curtiss at Sir Edmundbury Godfrey's Head, near Fleet-Bridge. And not Printed with Antiquated Accounts.

☞ All Gentlemen and Ladies that desire to speak Latin or French fluently and readily, and to write truly and properly according to Grammar-Rules, and can but spare two hours a Week, may be faithfully taught in that Time, by Mr. Switzerus, at his Lodgings in Clements-Lane, near Cannon-Street, every Monday Tuesdays, Thursdays and Saturdays; and in High-Holborn, near Little Turnstile, next to the Falcon, at Mr. Clark's House, Mondays, Wednesdays and Fridays; where you may have French and Latin, Grammatical and Historical Cards, by which he has taught Children of seven or eight Years old to speak Latin and French: And also as please, may be attended at their own Habitations.

☞ These are to give Notice to all Persons, for the Benefit of the Publick, That Mr. Emy, Physician of Poyndy, and Operator, of Leaves Incognito, and above 25 Years Practice, Lodges at the Blue Ball in White-Horse-Court, at the Lower End of Bartholomew-Lane, by the Royal Exchange, who most safely and expeditiously Cures Deafness and Noise in the Ears in any of whatever years, (if Curable) and at first Sight, by an Infallible Remedy that Preserves the Hearing, without Instrument, Pain or Hindrance in the City can Witness. He also cures by a most easie Method, Weakness in the Joints and Knees, which will make them as able for Use as ever, in a few times using; and it will certainly Cure the Scurvy, and all other Diseases incident to the Mouth, Teeth and Gums, with Directions. His Pills only prepared for the Scurvy Diseases, and for Purifying of the Veins, may be had of him as above Printed, with other Venereal Arcanas, as occasion requires, with Directions.

*** Spotting Drops, that any one may take safely and go abroad after, they powerfully discharge the Head and Stomach of vicious Humours frees the Body of Gout Dropsie, Scurvy, all Infection Venereal or Mercurial Sickness, and Cures the Face Pallas, Nose, of all Ulcers, Scabs, &c. it prevents the Danger of Flusing. He hath also those approved Drops for Cure of Fistulas, Piles, or Hemorrhoides, several having been Cured by once Applying. By Doctor Archer, Author of the Book called Every Man his own Doctor: Sworn Physician to King Charles II. He is to be spoke with at his Chamber at the Sadlers over against the Maid at Charing Cross, next the Black Horse, from Noon till 5. Evening at other times at his House Knights Bridge. He sells not his Drops, but administers them himself. He Freely gives his Advice.

*** In Plow-Yard in Grays-Inn-Lane, lives Dr. Thomas Kirk a Collegiate Physician and Sworn Physician to Charles II. and deals Who with a Drink and Pill (wondering no Business) and to Cure all Virus Sores, Swellings in the Nose, Face, or other parts, Scabs, Itch, Scurfs, Leprosies, and Venereal Diseases, easying nothing until the Cure is perfect. Of the last he hath Cured many hundred in this City, many of them after Flusing, which causes the evil from the Inward parts to the Head, and so disperses many Dumb to Speak, the Deaf the Pill 1 s. a Box with Directions better usage than ever was ever given, for they clear the Body all Impurities: which are the causes of Dropsies, Gouts, Scurvies or Scurvel, Pains in the Head and other parts; with another at 1 s. 6 d. a Dose, he Cures all Fevers and hot Distempers without Bleeding, even in few Hours. He gives his Opinion to all Letters or Comes for nothing.

*London*, Printed for *Langley Curtiss* at Sir *Edmundbury Godfrey's Head* near *Fleet-Bridge*.

A True ACCOUNT of the

# BEHAVIOUR, CONFESSION,

AND

# Last Dying SPEECHES

Of the 8 Criminals that were Executed at

# TYBURN,

On *Friday* the 18th of *September*, 1691.

ON the Lord's Day, in the Forenoon, was preached a Sermon on this Text, *Proverbs* the 14th and the 9th vet. *Fools make a mock at Sin.* The Conclusion of the Discourse was thus directed to the Condemned.

And no doubt but the Opinion of you Condemned Persons concerning sin are now altered; no doubt but you account your former making a mock at sin folly, now that you suffer by it, now that you experience its evil and bitter Effects: Now you who in time of prosperity have set at nought wholsom Counsels, and would have none of Reclaiming Reproof; who have laught at all Vertuous living, and made a mock at the Professors of the same, cannot but be afraid lest God should laugh at your Calamity, and mock when your fear cometh; lest you, having refused to hear God's Calls, by his Word and by his Spirit, by his Afflictive Providences and by his Ministers, should, in this your Distress, have him refuse to hear your Calls when you cry unto him for Mercy and Forgiveness, should refuse to be found by you, when you seek him earnestly with Tears and Supplications.

O Repent then your wicked folly in having made a Mock at sin, while such your folly is Retrievable, while the Door of God's Grace and Salvation stands yet open unto you; while you have Time, while you have Ability, while you have Will and Inclination to Repent and be converted: O reject not your own everlasting Mercies; pursue not sin to your endless Destruction; let not this my Exhortation become fruitless, let it not hereafter rise up in Judgment against you, through your impenitent obstinacy: seise Heaven by the sincerity and zeal of your Contrition, by the violent and devout importunity of your Prayers, by stedfastness and integrity of your good Resolutions; is God willing to receive you, and are you backward to return unto him? One would think the only doubt should be, whether after such long and often repeated Provocations as you have been Guilty of, God should at last be willing to admit ye into his favour; but since the Obstacles lies not in him, let it not, I beseech you, lie in your selves; in your impenitency and irreclaimableness, God has promised, That whensoever the Wicked Man turns away from his wickedness, and doth that which is lawful and right, he shall save his Soul alive. O plead, plead earnestly this his Promise in Prayer; say unto him, O thou who desireth not the Death of a sinner, have have Mercy upon us; perform but the Conditions of that Promise, Faith, Repentance and new Obedience, and then doubt not, God will be as good as his Word unto you: though you are late Penitents, yet be but compleat and hearty ones, and your late Conversion shall be accepted; become but capable of Divine Mercy, and assuredly you shall obtain it.

Your day of Grace and Salvation is but short, O make amends for its shortness, by your greater diligence and industry in Religious concerns for the time remaining; in the other Life there is no amending what was left imperfect in the Work of your Conversions, at your departures hence; and therfore see that you make your Callings and Elections sure: you work for an Eternity of Happiness, O therefore improve to the utmost your present time; double and treble your Religious Industry, cry mightily to God in Prayer; claim his Gracious Invitations and Promises made to Returning Sinners; invoke urgently his Mercy and Forgiveness; rely wholly on his Infinite Goodness, and his Son's All-sufficient Merits; comply with the Holy Motion of his Spirit; make use of his Grace offered, and implore larger Measures thereof; beseech him to sanctifie this your bodily Distresses, to the saving of your Souls in the day of our Lord; be more solicitous for the securing your Eternal than your Temporal Pardons; be continual in Good Reading, in Meditation, in Prayer, in calling your past ways to remembrance, in abhoring and grieving for your sins, as much as formerly you delighted in them: The Joys above will amply recompence all your Penitential Sorrows here below; a time of Refreshment will come to all true Converts from the presence of their God: Prepare incessantly for your latter Ends and for an happy Eternity; Exhort and Assist those in the same Condemnation with your selves, unto the alike pious Exercises; and as by your evil Examples you have led many into the same Wicked Performances which you have practiced, so now by your free Confessions, deep Humiliations, godly Sorrows, and sincere purposes of Amendment, see that you endeavour to recover others from the Errors of their ways, to a sound Repentant Mind, and to a Vertuous Conversation; so shall you cause Joy both in Heaven and Earth at such your unfeigned Conversions.

In the Afternoon the Ordinary preacht on this Text, *viz. John* the 5th Chap. and 40th Verse, *You will not come unto me, that ye may have Life.* The Conclusion of the Discourse was thus directed to the Condemned.

You have heard that Spiritual and Eternal Life, with all the degrees of it, are centured and secured abundantly in Christ; yet what a wretched contumatious lazineſs hath possest your Hearts, that you have not put forth the least Moral endeavours in the lowest degrees of coming toward Christ? Instead of cherishing the Solicitations of God's Spirit, and the Convictions of Conscience, in order to the implanting of Saving Faith, you have despised and opposed the great Salvation of the Gospel, and herein have judged your selves unworthy of Eternal Life: you have forfeited your Natural Lives by your Crimes against the Laws, as if these were a trifle in Comparison of the short momentary pleasures of sin, *&c.*

I proceed to give an Acount of the Behaviour and Confessions of the Condemned Criminals.

I. *James Bird*, Condemned for the wilful Murthering of his Wife. He was sent by his Father to the University of *Oxford*, in order to prepare him for a Student at the Inns of Court, in *Oxford* he fell in Love with a Person of unequal Fortune and Married her; for which he incurred his Fathers Displeasure. Notwithstanding, he did not Reform his Irregular course of living. I prayed with him before his Tryal, and advised him not to be secure, and that if he grew careless to provide for a future happy State, his Death would be the more terrible, and himself inexcusable, for not making his Peace with God, upon a sincere Repentance. He reply'd, That he had been a very great sinner, and that God did justly withdraw his preventing restraining Grace, because he had abused that Talent of Knowledge wherewith he was intrusted, to the committing of many excesses in sinning; yet that he was Innocent as to the Murdering of his Wife. I urged upon him most of those Probabilities which

were proved upon him at his Tryal, but he waved them all, saying, That no Person could positively prove it upon him. I reply'd, That his Conscience was a thousand Witnesses, and that if he did not Confess it before he Dyed, (being Conscious of it) there could not be any hope of his Salvation. After he had made some Asseveration of his Innocency, I told him that he should take heed how he falsly appealed to the Heart-searching God, for this would aggravate his Guilt. He said, That he had been a great sinner, and deserved exemplary Punishment from God; withal, expressing himself that he did expect to be Condemned by the Malice of his Prosecutors, and would prepare for Death. I asked him whither, upon his Fathers threatning to Disinherit him, he did not break up his Closet, seize on the Evidences for the Estate, and refused to deliver them. He reply'd, That it was a false Story raised of him. Upon some observation of him, I desired him to retire more into his Chamber, and to humble himself before God, that he might be fit to Dye, which he promised me to do. After his Condemnation, I prayed with him several times in his Chamber alone, and urged him not to trifle with God, but ingenuously to declare whither he Murthered his Wife: He would not answer directly, but waved that Inquiry. He came to the Prayer and Sermons at the Chappel, and seemed affected with those Preparitory Exercises for his Death. At times he spake in a careless manner, as from a disturbed Mind; whereupon I advised him to retire more, and to humble himself before God, that he might be fit to Dye. He replyed, That he was prepared for the worst. I told him that an ordinary Repentance could not unravel an habituated Custome in sinning, which he acknowledged. He said that he would make publick some Testimonies of his Repentance. I said that this would not be believed, if he concealed or denyed the Murthering of his Wife; yea, it would obstruct his Eternal Happiness.

II. *Christopher Ashley*, alias *Browne*, Condemned for Felony, Burglary and Sacriledge, in Robbing the Church of *Great St. Bartholomew, London*, in *November*, 1689. carrying away the Pulpit-Cloth, and all the Communion Plate, of very great value. He denyed it at his Tryal, but since with Tears hath confest the Crime, and that also he joyned with those who Robbed St. *Saviours Church in Southwark*; that he often broke the Sabbath, had been Guilty of excess in Drinking, of Swearing; and that he seldom prayed. He seemed the most Penitent.

III. *Old Mobb*, Condemned for Felony and Burglary. He said, That his Father left him and other Children destitute of a Subsistance; so that he was forced to serve as an Husbandman for some time; but finding that to be hard Labour, he fell into High-way-Robbing, and followed it many years: tho' he wounded several Persons, yet he affirmed that he never Murthered any: That he was addicted to excessive Drinking: That when he continued to Rob on the High-way, yet he prayed that God would forgive it. I replyed, That he could not hope to be heard. He said, but it eased his Mind. I told him that it aggravated his Guilt. He behaved himself very decently.

IV. *Tomas Breikill*, Condemned for High-Treason, in Clipping the Currant Coyn of this Kingdom. He was a Felt-maker, and was now intending to set up his Trade. He confest that he had been addicted to excessive Drinking: That he kept not the Sabbath, and would swear when provoked; but would not confess the Crime he dyes for.

V. *Edgerton Brett*, Condemned for Murthering of a Journy-man Shoe-maker, in his Drunken Inhumanity. He denyes not the Crime. He was bred up to the Studying of the Law, but did not follow his Employment in a late Office, which exposed him to many irregularities. He said that for three days he did drink with Friends to excess, as taking his leave of them, intending to go into the Country; but losing the exercise of his Reason, in his way home, he met with the Person whom he kill'd, and flapt him with his Gloves in the Face, because he did not give him ready passage. He doth not extenuate the Crime, but rather thinks that his Drunkenness was an aggravation of it. He says, that he never did wrong to any Person before: but it deeply troubles him that he should thrust a Man out of the World, it may be not prepared to Dye. But he resolves, if he may be spared, to lead a more circumspect and sober strickt Life, saying, that he could never be sufficiently Penitent for this so unmanly and wicked an Act. He constantly was at the Religious Exercises of the Chappel, and seemed very penitent in my private Discourses with him; hence I conclude, that being tractable to my Advice, he was not Popishly affected, as some suspected him to be.

VI. *Edward Biggs*, Condemned for Felony and Burglary with *Old Mobb*. He was an Oyl-Leather-Dresser, but Employment not coming to hand as he expected, he left off his Trade, and fell into High-way-Robbing, to get Money for his Excesses. He wept and said, That he had been a great sinner; That it much troubles him, that his Brother would freely have Dyeted him, during the want of Trading, but he refused his Kindness, to joyn with bad Company, and that this was the first Crime that he committed to deserve Death. I hope he was Penitent.

VII. *Matthew Earsell*, Condemned for Felony and Burglary. he was lately in Military Employment, and left it a little before he committed this Crime: He confest it, and said he had been a great sinner, viz. in breaking the Sabbath, in swearing and excessive drinking, and of many other sins, and seemed Penitent.

VIII. *George Bird*, Condemned for Robbing in the Street: he was lately a Soldier, but said this was the first Crime; that he had committed many gross sins, but hoped that God had given him a Penitent Heart, because he was freely willing to Dye.

IX. *Lawrence Dadson*, Condemned for Felony and Robbery: he denyed it not; he said that he had sinned against good Education; his Parents left him a Subsistance which he misspent, and lived an Idle Life, which exposed him to the committing of much sin, for which he is now Penitent, chiefly for offending God.

X. *Elizabeth Eaton*, Condemned for three Felonies. She seemed very Penitent.

The Ordinary Visited the Condemned every day, and on the Fast-day Two Sermons were preached, with which they were much affected; and Visiting them on *Thursday*, every one gave an Account of the hope of their future happy State.

This is all the Account I can give of this Session.

*Dated this* 17th *of* Sept. 1691. *Samuel Smith*, Ordinary.

On *Friday* the 18th Instant, these Eight Persons were convey'd to *Tyburn*, in order to be Executed, whose Names are these, *viz. Thomas Brickill, Old Mobb, Lawrence Dadson, Christopher Ashley, George Bird, Edward Biggs, Elizabeth Eaton*, and *James Bird*, who was carry'd in a Coach, the others in Carts. Mr. *Bird* said, That he thought himself obliged to let the World know, that whereas it was deposed that his Father should desire him to get his Wife made away, yet he protested solemnly, as a Dying Man, and as ever he hoped to obtain Salvation in and through the Merits of Christ, that his Parents were no ways concerned in the Murther, neither was any other Person Accessary to it, and that his Parents knew nothing of his being Married to her, till the day he was apprehended for the Murther; moreover, desiring that no farther Pursuit of Vengeance might be made against any others, for that he hoped his Blood alone would satisfie all Persons whatsoever. He prayed very pensively for himself, and was very attentive to the additional helps of those Ministers about him, behaving himself in the general as one who was concerned how he might Reconcile his Soul to God, and to be at Peace with him; relying only on the Merits of Christ for Salvation, most earnestly requesting all the Spectators to pray for him to the last Breath.

As for the rest they had but little to say, only lamented their sad and dismal fall, crying out for Pardon, wringing their Hands, sighing and bemoaning themselves, *&c.* The most affected was *Old Mobb, Christopher Ashley* and *Edward Biggs*, who all desired Prayers; but the rest were not so much concerned, especially *Dadson*, who seemed to have but little sense of his Misery, casting his Eyes abroad upon the Multitude more than upon the Ordinary and the other Minister who prayed with him and the rest, giving them all heavenly Advice congruous to dying Men, and pertinent to their Eternal Salvation.

Then a Penitential Psalm was sung, and the Ordinary having recommended them to the Mercy of Allmighty God, they were all turned off.


ADVERTISEMENTS.

*** *The Politicks of Europe: or the Rational Journal, &c. containing an Account of the Affairs of the Time, with Reflections on the Interest and Maxims of State of all the Princes and States of Europe, especially with respect to the present War and Confederacy against* France; *Being a Piece well approv'd of by the Learned and Curious, is now again Published every other* Saturday, *in one Sheet, by* Langley Curtiss, *at Sir* Edmondbury Godfrey's *Head, near* Fleet-Bridge. *The 16th Journal will be Published on* Saturday *next.*

☞ *These are to give Notice to all Persons, for the Benefit of the Publick, That Mr.* Elmy, *Professor of Physick, and Operator, of known Integrity, and above 25 Years Practice, Liveth at the* Blue Ball *in* Whale-Bone-Court, *at the Lower End of* Bartholomew-Lane, *by the* Royal Exchange, *who most safely and expeditiously Cures* Deafness *and* Noise *in the* Ears *in any of what Age soever, (if Cureable) and at first Sight, by Inspection, Resolves the Patient of so or not, as most Eminent Persons of Quality in this City can Testifie. He hath likewise a most excellent Gargarism or Mouth-Water, which will make black or yellow Teeth as white as Ivory, in a few times using; and it will certainly Cure the Scurvy, and all other Diseases incident to the Mouth, Teeth and Gums, with Directions. His Pills only prepared for the* French Disease, *and the* Running of the Reins, *may be had in Boxes of several Prices, with other* Venerial Arcanas, *as occasion requires, with Directions.*


*London*, Printed for *Langley Curtiss* at Sir *Edmondbury Godfrey's Head* near *Fleet-Bridge*. 1691

E90

# Murther upon Murther:

Being a Full and True

# RELATION

OF A

# Horrid and Bloody

# MURTHER,

Committed upon the Bodies of

**Mrs. *Sarah Hodges*, Wife of Mr. *Thomas Hodges*, Mrs. *Elizabeth Smith* and *Hannah Williams*, at the Loyal Coffee-Houſe near *Well-Cloſe* at the end of *Eaſt-Smith-field*, on *Saturday* the 17*th.* of this Inſtant *January* 1691.**

UPon the day aforeſaid, about Twelve a Clock, a Tub-woman that carries Ale and Beer to private Houſes, *&c.* came accidentally into a Houſe called, *The Loyal Coffee-Houſe* in *Ratcliff-High-way* near *Eaſt-Smithfield*, about ſome buſineſs; when ſhe came at the Door, ſhe finding of it open, or not locked, entered; where finding no body in the Houſe, ſhe waited for ſome time, in expectation that ſome of the Family would come, but having tired her Patience, and ſeeing things lye about the Houſe in Diſorder, no Fire being kindled, *&c.* ſhe began to ſuſpect all was not well: She then called, but no body anſwering, ſhe enquired of the Neighbours, If they had ſeen any of Mrs. *Hodges* Family that day, (who was Miſtreſs of the Houſe;) but they anſwering in the Negative, ſhe deſired ſome body to go along with her into the Houſe, for ſhe ſaid, ſhe found the Doors not locked, neither was any Fire on the Hearth; beſides, calling and no body anſwered. The Neighbours admiring as much

much as the Woman, what might be the cauſe that none of the Family appeared, entered the Houſe; where paſſing through a Room or two, they came to a back Chamber, where they (to their great Aſtoniſhment) found Mrs. *Sarah Hodges* (Wife of Mr. *Thomas Hodges*) moſt Barbarouſly Murthered in her naked Bed, her Throat being cut, and the Right ſide of her Head cut, and her Skull broke, that the Orifice which this Fracture cauſed was at leaſt two Inches Diameter. This is ſuppoſed to have been done with a Hammer, or ſome ſuch like Weapon, *&c.*

Then going into another Chamber, they found likewiſe Murthered in a moſt barbarous manner, one Mrs. *Elizabeth Smith*, a Lodger in the Houſe aforeſaid; ſhe lay with her Arms claſped together, and her Face being upwards: whom the inhumane Murtherers had ſtabbed in at the Ear, and wounded her in ſeveral places about her Head, that ſhe lay as it were Swimming in her Blood; ſhe was in her naked Bed likewiſe. And juſt by her Bed-ſide, lay Murthered on the Boards, *Hannah Williams*, the Maid Servant of the Houſe. Againſt this poor Innocent Maid, the Villains vended their Fury in a large meaſure for they cut her Throat from Ear to Ear, and ſtabbed her in juſt above the Collar-Bone: She was found in her Cloaths by the Bed-ſide of the aforeſaid Mrs. *Elizabeth Smith*, it is ſuppoſed that ſhe was then going to Bed, but was put, by theſe Execrable Villains, into an everlaſting Sleep before ſhe had time to call upon God for Salvation.

The Husband of this Mrs. *Hodges*, is now at Sea, a Mate of a Ship, and little thinks what a Tragedy has been acted in his Houſe; and Mrs. *Elizabeth Smith* is likewiſe much to be pittied, being a curious piece of Nature's handiwork, and wherein were diſplaied, the unparallell'd Workmanſhip of the Divine Creator, whoſe days are cut off by theſe inhumane, barbarous, and bloody Villanies; and indeed I want Eloquence to give them ſuitable Epithites. Theſe Fiends in Humane ſhape, after they had thus barbarouſly diſpatched Theſe poor Creatures, took off Mrs. *Hodges* Gold Chain from her Neck, Rings from her Fingers, and cut her Ears to take out her Pendents; as they likewiſe ſerved Mrs. *Smith*, and Robbed the Houſe of every thing valuable in it, and then Eſcaped, without being diſcovered: Though we make no queſtion, but as the Devil owes them a ſhame, he will ſpeedily pay them.

Had not the Devil been very great with them, the Horrid Murther committed but three days before upon three Poor Innocents in the Houſe of Captain *Giddings* (an account of which we have already given you) might have Startled and deter'd them from perſiſting any further in ſuch Execrable Villanies. But their Conſciences are Sear'd, and they are given over by God Almighty, having not the Fear of him before their Eyes, that they eagerly purſue the Devils Game with open Cries, and no Remorſe. Therefore of ſuch as theſe let all Honeſt Houſe-keepers beware.

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*LONDON*, Printed by *G. Croom*, at the *Blue Ball* in *Thames ſtreet*, 1691.

# THE PROCEEDINGS ON THE King and Queens Commissions Of the PEACE,

And *Oyer* and *Terminer*, and *Goal-delivery* of *Newgate*, Held for the City of *London*, and County of *Middlesex*, at Justice-Hall in the *Old-Baily*, the 29*th*, and 30*th* days of *June*, and 1*st* of *July*, 1692. *And in the Fourth Year of Their* MAJESTIES *Reign.*

AT the Sessions Held at Justice-Hall in the *Old-Baily*, on *Wednesday*, *Thursday* and *Friday*, being the 29*th* and 30*th* days of *June*, and 1*st* of *July*, 1692. before the Right Honorable Sir *Thomas Stamp*, Knt. Lord Mayor of the City of *London*, and Mr. Sarjeant *Lovewell* Recorder of the said City; Together with other of Their Majesties Justices of the City of *London* and County of *Middlesex*.

*The* Jurors *were as follows,*

| London Jury. | Middlesex Jury. |
|---|---|
| *James Lapley.* | *William Dynn.* |
| *John Cutlove.* | *Richard Fisher.* |
| *Henry Bullock.* | *John Howlet.* |
| *Zach. Burrowes.* | *William Thompson.* |
| *Robert Fleetwood.* | *John Vigure.* |
| *Thomas Cows.* | *James Ferne.* |
| *Peter Hynks.* | *Richard Fitz-Gerald.* |
| *Henry Sherwin.* | *Ralph Hutchinson.* |
| *William Wells.* | *Joseph Blisset.* |
| *John Bennet.* | *Thomas Rammidge.* |
| *Richard Hudson.* | *Nicholas Rufford.* |
| *William Hunt.* | *Humphrey Bradshaw.* |

*The Tryals of the Prisoners were as follows.*

EDward *Kallaway*, a Boy of the Parish of *Little-All-hallows*, was Indicted and Tryed for Stealing Eight pair of Mens Wosted Stockings, (on the 28*th* of *May* last past,) value 25 *s.* the Goods of *Frances Crompton*, Widow, who swore that the Stockings were put to be Colour'd at a Dye-house, where the Prisoner stole them, and the Goods were found in his Breeches; The Prisoner could say nothing, but that he found them at the Dye-house Door in *Thames street*, and that he belonged to the *Blew Coat-Hospital*, he was not able to vindicate himself; So he was found Guilty of Felony.

*James Lerow*, alias *Leroch*, and *Joseph Drouster*, were both Arraigned for Robbing *Ralph Sympson*, a Bookseller in St. *Paul's* Church-yard, of six Shillings, on the 18*th* of *June*, *Lerow* pleaded Guilty, but *Drouster* put himself upon his Tryal; and said that he was in company with *Lerow*, but nothing was found upon him; but the Witnesses for the King swore that they came to bespeak a Book at Mr. *Sympson's* Shop, and after they had been there three times, the said Mr. *Sympson* having lost Money before and suspected them to be the Thieves, markt the Money, which lay in a Till, and hiding himself in a private place in the Shop, saw *Larow* take the Money out of the Till, and stopping him, found it upon him, and *Drouster* was seen to aid and assist *Larow* in the Felony; so he was found guilty of Felony.

*Ann Hazlewood* was Tryed for Robbing one *Solomon Young* of the Parish of *Shadwell*, of a Silver Caudle Cup, val. 50 *s.* three Gold Rings, val. 3 *l.* 7 *s.* another Ring, value 50 *s.* a Silver Ring, value 18 *d.* and 27 *s.* in Money, on the 20*th* of *April* last: The Goods were lockt up in a Cup-board, and the Prisoner being a Nurse-keeper in *Young's* House, took away the Goods and Money, some of which were found about her, and her Confession was read in Court, as a further Evidence against her; the Prisoner deny'd it at the Tryal, and said that she had the Goods of the Woman, to whom she was a Nurse-keeper, but could not prove it, so she was found Guilty.

*Mary Griffeth* was Tryed for stealing from *Ralph Dobson* of *Islington*, on the 23 *d.* of *May* last, an Iron Key, value 2 *d.* and 10 *l.* in Moneys numbred, Mr. *Dobson's* Son said, That the Prisoner was a Servant to his Father, and whilst the Family was abroad, she took the Key out of his Breeches and unlockt a Trunk and took the money out, and was going away with it, but was happily stopt by the Neighbors, and the money found in her Hair, the Prisoner denied that it was in her Hair, but could not deny the Fact, being so possitive against her; So she was found guilty.

*Susan Clarke* was Indicted for Robbing *Benj. Burton* of 16 *s.* in money, in the Parish of *White Chappel*, on the 20*th*. of *May* last; The Prisoner was Servant to Mr. *Burton*, and took away the Money out of a Drawer where lay a bigger Sum, which she confest before the Justice of Peace, but she denied it at her Tryal; She was found guilty of Felony.

*Dorothy Wright* was Tryed for Felony in Robbing *Edward Horsewell* of St. *Giles* in the Fields, of 38 *s.* in Money, on the 24*th* of *May* last, the Prisoner was a Servant to Mrs. *Horsewell*, and in her Mrs. absence she found the Key of the Drawer where the Money was and unlock'd it, and took it away, 14 *s.* of which Money was found in her Custody, all which she confest before Justice *Higdon*; but upon her Tryal, she alledged, that she only took part of the Mo-

ney,

ney, which she gave another Woman to lay out for her at Market; which Woman was since run away, which did not avail her, so she was found guilty of Felony.

*Elisabeth Lee* was Tryed for Robbing one *John Veale* in the King's High-way, a Child about the Age of five Years, in *Stepney* Parish, on the 13*th* of *May* of a Rasey Stuff Coat, value 5 *s.* The Child happening to straggle abroad alone into the Fields, the Prisoner met him, and stript him; and one who went to seek the Child, met the Prisoner, and saw the Child's Coat under her Apron, which she knew very well; The Fact was plainly proved, so she was found Guilty.

*Ruth Herne* was Tryed for Felony and Burglary; in breaking the House of one *John Haverlin* of *Stepney* Parish. on the 25*th* of this Instant *June*, and taking away a Looking-glass, value 4 *s.* two ounces of Raw Silk, value 12 *d.* The Pane of a Window was taken out, and the Casement opened, where the Prisoner got in, and took away the Goods, which she owned before the Justice of Peace, but upon her Tryal she said the Pane was broke before, and that she put in her hand and opened the Casement, and took away the Goods; but it being done in the day time, she was acquitted of the Burglary, but found guilty of the Felony.

*Ruth Herne* was a second time Indicted for Breaking the House of one *Thomas Birgin*, near *Lime-House Bridge*, on the 24*th* of *June*, Instant, about the Hours of two or three of the Clock in the Morning, and Stealing away two Silk Hoods, two pair of Stockings, two Pinners, some Lac'd Caps and Coives, a Pewter Tankard, and several other Goods of indifferent value, which she encompassed by breaking a Pane of Glass, and puting her Hand in at the Window, and taking the Key, she opened the Door, and went in and committed the Robbery, which she confest, when apprehended; and it did not appear that she did it in the Night time, so she was acquitted of the Burglary, but found guilty of the Felony.

*John Algood* of the Parish of St. *Mary Le Bone*, was Indicted for Stealing a Dun Gelding, value 10 *l.* and a Gray Gelding, value 20 *l.* on the 24*th.* Instant, the Goods of *John Langston* Esq; The Horses were brought on a *Saturday* Night to the Flying-horse in *Goodman's-Fields*, by two unknown Persons, who desired that the Horses might be taken care of, and they would send the next Morning, which they did by the hand of the Prisoner, who said, that he was sent by one *Pilkington* and *Whitney* to the Livery-Stable to see the Horses feed, but he did not know them to be Thieves: The Contents of his Confession was read in Court, which said that he was sent for by the said *Pilkington* to a Drinking-house near St. *Clements* Church, who desired him to go to the Flying-horse to look after the Horses; and that he did suspect *Pilkington* to be a Highway-Man, for that he had often sent him to one *Goodman* a Criminal in *Newgate*: The Prisoner further added, that he knew nothing of the Horses being Stolen; and it could not be fully fix'd upon him, so he was acquitted of the first Indictment.

*P—— J——* and *John Burton*, were both Indicted for Stealing two Ounces of Silver, value 11 *s.* from one *Thomas Woolly* of the Parish of St. *Sepulchres*, on the Ninth of *May* last. Mr. *Woolly* Swore that the Silver was taken out of a Chest of Drawers; but the chief Evidence was one *Ben. Strutton* his Servant, who was suspected to be scar'd away by the Prisoners, and could not be found; so the Evidence was a little short against them, by which they had the good hap to be Discharged of the Indictment.

*John Algood* was a second time Indicted, for Stealing from one *Thomas Harris* a Bay Gelding price 15 *l.* on the 4*th.* of *June*. Mr. *Harris* lost his Horse in *Maidenhead Thicket*, taken away by three Highway-Men; who had all Vizard [illegible] he could not say the Prisoner was either [illegible]; but he found his Horse in the Stable at the [illegible]-horse, where Squire *Langston*'s two Horse [illegible] There was other sufficient Evidence who gave account, that since he had been in *Newgate*, he own'd that one *Holland* and *Reynolds* and himself committed the Robbery in *Maidenhead-Thicket*, and he did not deny it in Court; so he was found guilty of Felony.

*Richard Johnson* of the Parish of *Stepney*, was Indicted for Breaking open the House of *Robert Bell* Gent. with an intention to steal his Goods, on the 22*d.* day of *May* last, about Twelve or one a Clock in the Night: The Servants hearing a Noise, arose, and heard a Gun go off, and immediately after the Window was found Broken open, but nothing stole away, but there was a Tinder-Box and a Knife left behind by those that entred the House; and the Watch having stopp'd the Prisoner in his going away, found a Chisel, a piece of Candle, and a Gimblet, and other suspicious Implements about him, and the Prisoner being Refractory, the Watch-men were as careful to Apprehend him; in the midst of which Scuffle one of the Watch-men was shot in the Thigh, but none could charge the Prisoner with the Fact, there being others concern'd with him, who ran away. The Prisoner alledged on his part, that he had been to Visit one Mr. *Sherwood* at *Wapping*, and that he came accidentally that way; and that he staid there till one a Clock, which was above a Mile off Mr. *Bell*, which he called one Witness to testifie: But then on the King's side it was proved further, that he used means to get himself made an Evidence against others who were with him; and that when he was first taken hold on, he called to his Fellows to Shoot, and told the Constable that he was a Shoe-maker, whereas in reality he was a Joyner; all which was fully proved, and that he fled amongst the rest before the Watch-men; So upon the whole matter he was found guilty both of Felony and Burglary.

*Michael Hall*, *Walter Stephens*, and *Richard Starr*, were all Indicted for Felony and Burglary, committed in the House of one Mr. *William Monke* in *Grub-street*, on the Twenty fifth of *May* last; The Goods lost were one Hood and Scarf, and a Head-dress, and one Watch, value 40 *s.* seven Silver Tankards, value 42 *l.* two Guineas, two broad pieces, and 50 *l.* in Money; The Prosecutor swore that his House was broke open, and the Goods lost, but he could not charge either of the Prisoners for want of one *Kiffen*, who is lately absconded, so they were all acquitted, but not without great Suspicion of being the Persons that Robb'd *Monk*'s House.

*James White* was Tryed for Stealing a Silver Tankard, value 5 *l.* from *Thomas Ambrose*, on the 13*th* day of *May* last, the Evidence was, that he came to drink at the House, and whilst the People of the House were out of the way, he went out at the Door with the Tankard; but being stopt, it was found about him; The Prisoner pleaded that he never had done any one wrong in his life, and that he did not design to carry away the Tankard, yet was found guilty of Felony.

*Katherine Davis* was Tryed for Robbing one *John Blechington* of eight Guineas and 3 *l.* 8 *s.* 6 *d.* in Money

ney on the 15th of *May*: Mrs. *Blechington* ſwore that the Priſoner came to be a Servant to her on the *Friday*, and on the *Sunday* following ſhe went away with the Money, which was very poſitively ſworn, ſo he was found Guilty.

*Eliſabeth Moor* was Tryed for Stealing a Watch with a ſilver Caſe, value 7 *l.* from *Richard Baker* of St. *Miles Cornhil*, of the 4th Inſtant the Priſoner and another Woman came to Mr. *Baker*'s Shop to get a Watch mended, and the Priſoner was ſeen to take the Watch out of the Window where it hung, and was endeavouring to get away with it, but was ſtopt, the Priſoner ſaid that ſhe never medled with the Watch, and the other Woman was fled, and that ſhe had no intent to ſteal, there was but one Evidence againſt her, ſo the Court was pleaſed to acquit her.

*John Manowry* was Indicted and Tryed, for that he together with one *Daniel Jones*, not taken, did break the Houſe of one Mr. *Tewder* in *Goodmans Fields*, on the 3d of *March* laſt, the Houſe was broke open about Three of the Clock in the Morning, the Perſons came in and gave threatning Language to Mr. *Tewder* and his Family, and put them in fear of their Lives, and broke the Cloſets and Cheſts open and carried away two Silver Tankards, value 7 *l.* 10 *s.* a Silver Bowl, value 3 *l.* a ſilver Salt, value 40 *s.* Nine Spoons, value 4 *l.* 10 *s.* a Silver Ladle, value 40 *s.* a Watch, value 5 *l.* 240 pieces of broad Gold, value 284 *l.* 180 Guneas, value 190 *l.* 10 *s.* and fourſcore Pounds in Money; The Evidence was only Mr. *Tewder*, who ſaid that his Lodgings were broke open, but he did not know that the Priſoner was either of the Perſons that Robb'd him; The Priſoner denied the Fact, and called ſome Evidence, who gave account that he was at another place whilſt the Robbery was done; ſo the Priſoner was acquitted.

*Hannah Done* as Principal, and *Maudlin Brown* as Acceſſory, were both Tryed for Stealing an *Amber-Necklace*, value 12 *s.* on the 4th. of *April* laſt, from one *Jane Stenton*: The Witneſs for the King ſaid, that the Necklace was found in the Cuſtody of *Brown*, and *Brown* ſaid ſhe had it of *Deane*; but no Evidence could charge *Brown* home in the matter; ſo they were both Acquitted.

*Ann Wilkinſon* was Tryed for Stealing three Gold Rings, value 1 *l.* two pair of Flaxen Sheets, value 1 *l.* the Goods of *Richard Willet* of *Iſlington*, and two Yards of Callico, value 2 *s.* a Callico Handkerchief, value 2 *s.* the Goods of one *Ann Raybould*: The Priſoner was a Servant to Mrs. *Willet*, and whilſt ſhe was abroad, the Maid took the Goods away, about the beginning of *March* laſt, which ſhe confeſt before Mr. Juſtice *Harriot* when taken, and that ſhe had given them to a Cheeſe-cake Woman, who lived in a place called *Small beer-Ally*: She had little to ſay, and denied the Fact, ſo ſhe was Acquitted.

*Nicholas Legg* was Tryed for ſtealing a Silver Tankard, value 5 *l.* from *George Cobbin* in St. *Martins* in the Fields, on the 24th. of *June* laſt. The Priſoner and another came to *Cobbin*'s Houſe to Drink, and the Tankard was miſſing when they were gone, and it was found upon the Priſoner as he was going along the Street: The Priſoner denied the Fact, but yet he not proving that he came honeſtly by the Tankard, he was found Guilty.

*Mary Mullinax* and *Sarah Burrows* were both Tryed for Robbing the Shop of Mr. *Lehitabel Smith* a Linnen Draper, in the Pariſh of St. *Butolph* without *Aldgate*, on the 27th. of *June* of 20 Yards of Muſlin Cloth, value 2 *l.* 10 *s.* The Priſoners came to the Proſecutor's Shop to Cheapen ſome Goods, and when the opportunity offer'd, they uſed their Art of *Legerdemain* and went away; but being Purſued, the Goods were found upon *Burrows*, wrapt up in a Hood: the Priſoners denied the Fact, but they were known to have been old Shop-lifters; ſo they were both found Guilty of Felony.

*William Smith* was Arraigned upon an Indictment of Felony, for that he did Rob one *Giles Peel*, on the 9th. Inſtant of 13 *s.* 6 *d.* in Mony; to which he pleaded Guilty.

*Elizabeth Fiſher* was Indicted for ſtealing two Alamode Hoods, value 16 *s.* a Scarf, value 1 *l.* and divers other ſmall Goods; to which ſhe pleaded Guilty.

*Samuel Hurley* was Tryed for breaking the Houſe of *Thomas Spencer* of *Stepney*, on the 14th of *May* laſt, and Stealing ſeveral Goods, *viz.* ſeven Silver Watches, value 20 *l.* ſixteen Silver Snuff-diſhes, ſome Table-Linen, *&c.* The Evidence ſwore that the Priſoner was one of the Perſons that came into the Houſe with their Rapiers drawn, and bound the Family, about one or two of the Clock in the Morning, and after that took away the Goods, the Priſoner ſaid that the Witneſs that ſwore againſt him did not poſitively ſwear that he was one of the Men that was in the Houſe, but a Conſtable who took him, ſwore that he would have fled for it, and he could not prove where he was when the Robbery was committed, ſo he was found guilty of Felony and Burglary.

*Samuel Hurley* was a ſecond time Indicted for a Burglary, committed in the Houſe of *John Benſon*, on the 11th of *April* laſt, taking away a Gold-Ring, value 10 *s.* a Silver-Ring, value 6 *d.* two Guinea's and 11 *l.* 10 *s.* in Money: The Evidence was very poſitive againſt him as to matter of Fact, and the Priſoner could not invalidate it: So he was found guilty of Felony and Burglary.

*Jonathan Taylor* was Tryed for Robbing one *William Sanders* in the King's High-ways, on the 17th of *February* laſt; The Priſoner met him upon *Hownſlow heath*, and ſtopt him, and taking him out of the Road, he bound his Hands, and took away a Gelding price 5 *l.* a Cloth-Coat, a Paper-book, a Bridle and Saddle: There was no Evidence againſt the Priſoner, but only *Sanders*, and he did not ſwear poſitively to his Perſon, only he ſaid he believ'd him to be the ſame Man that robb'd him; So the *Jury* well weighing the Matter, the Priſoner was acquitted, beſides the Priſoner had good Evidence on his ſide, who juſtified his Reputation.

*Nath. Williams* of the Pariſh of St. *Giles* in the Fields, Gent. was Indicted and Tryed for the Murther of one *David Heard*, Gent. giving him a mortal Wound (with a Rapier, value 5 *s.*) upon the Right Shoulder near the Right Arm-hole, of the breadth of two Inches, and the length of eight Inches, of which Wound he inſtantly died. The Murther was committed on the 17th of *March* laſt, in manner thus, The Perſon deceaſed was at the Horſe-ſhoe Tavern in *Drury-Lane*, in company with ſome other Gentlemen, into whom came Mr. *Williams*, and the Priſoner and the Deceaſed happened to fall out concerning Fencing, (for they were both Fencing-Maſters) and immediately upon the hot words, they call'd a Coach, and being come to the backſide of *Southampton-Houſe* in *Bloomsbury*, they Fought, and *Heard* was kill'd; Other Evidence declared that the deceaſed had lately taken a Fencing School, and it might occaſion the Priſoner to be jealous, that he would get his Scholars from him, which was partly the occaſion of the Quarrel: The Priſoner alledged that the Deceaſed challenged him to fight, &c.

ger, and urg'd him to it, and that he only ſtood on the defenſive part, and that he had never any Malice againſt the Deceaſed: So he was only found guilty of Manſlaughter.

*John Scot* was Tryed for a Robbery on the High-way, committed on the 9*th* of *Aug.* in the Second Year of the Reign of King *William* and Queen *Mary*, upon one *Anthony Barker*, taking from him a Stone-Horſe colour'd Grey, price 10 *l.* a Piſtol value 10 *s.* a Saddle value 5 *s.* and 197 *l.* 12*s.* and 3 half Pence in Money: The Proſecutor could not fully charge the Priſoner that he was the Perſon that Robb'd him, (upon *Enfield Chaſe*) nor any one beſides, but yet there was a Piſtol found in the Cuſtody of the Priſoner, which was owned to be the Proſecutors Piſtol; The Priſoner ſaid that the Piſtol was brought to his Houſe at *Windmil Hill* by ſome Gentlemen that he did not know, who are not yet to be found, who lockt him and his Family up in a Stable, and took away their Horſes out of the Stable, (one of their Names was *Thomas*, and another *William*) the Maſter and his Man; The Priſoner alſo paid 25 *s.* for a new Piſtol that was made to fellow that which was brought to his Houſe by the Servant: Which ſeemed a little improbable, that he ſhould pay Money for one he did not know, the Priſoner ſeveral of his Neighbors who gave a favourable account of his Reputation: So in the end he was acquitted.

*Ann Naſh* was Indicted for Breaking the Houſe of *Joſeph Child* of the Pariſh of St. *Giles Cripple Gate* without, on the 26*th* of *June*, inſtant, and carrying away four Pewter Pots, value 8 *s.* two Pewter-diſhes, value 4 *s.* two Braſs Candleſticks, two Plates, a Quarter of Lamb value 2 *s.* 6 *d.* and ſome other Goods, *&c.* The Proſecutor could not ſwear that the Door was lockt on the over night, but in the Morning the Door was open and the Goods were gone, which were found upon the Priſoner by the Watch in St. *Johns ſtreet*, immediately after the Robbery was done: So ſhe was found guilty of Felony, but not of the Burglary.

*Anthony Alden* was Tryed for ſpeaking very ſcandalous Words in contempt of the Government, on the 9*th* of *May* laſt, the words were, *That there was no King but King* James *only, and he would lay a Wager that King* James *would be in* White-hall *in leſs than three Months time, and if that Man, whom we call King* William, *did but know as much as he could declare, he would give him a Penſion as long as he lived*. The Priſoner ſaid he was much in Drink, and knew not what he ſaid, but owned withal that he was a *Roman Catholick*, all which charge againſt him, was fully proved; ſo he was found guilty of a Miſdemeanour.

*John Auſtin* was Tryed for Robbing one *Sarah Curnock* in the High-way, of two Gold-Rings and 40 *s.* in Money, no Evidence appearing, he was Acquitted.

*Timothy Carolt* was Tryed upon two Indictments, the firſt for feloniouſly taking away from *Reb. Sea[illegible]* Cloth Coat with Silver-plate Buttons, value 8 *l.* The Second for a Treſpaſs, in taking from her three Gold Rings, value 3 *l.* as to the Rings, ſhe ſaid that he came into her Chamber, and took the Rings off her Finger, pretending Love to her, calling her his Dear, and after that he took a Mild-Half Crown out of her Pocket, and pretended to marry her on the Morrow, and ſo not performing the Bargain ſhe took him up for Robbing of her: The Priſoner ſaid that ſhe gave him the Rings freely out of her ſelf, without any force, and that ſhe allow'd him to wear the Coat for three or four Hours together in her own Houſe; The Taylor that made the Coat ſwore that he did it by her order, and that ſhe paid him the Money for it, at her Houſe in *Liquor-Pond-ſtreet*; all this was very evidently made out, ſo that after a long Tryal, the Priſoner was acquitted of both Indictments.

*Ruth Phillips* of the Pariſh of St. *Andrew Holbourn*, was Tryed for Felony, in Clipping the Current Coin of this Kingdom; there were ſeveral Inſtruments found in a Trunk in her Houſe, as Files and Rubbing-ſtones, but no Sheers, but a pair of Weights and ſome Clipp'd Money were found. Another Evidence was one of the Priſoners Maids, who Swore that comming into the Kitchen, ſhe ſaw the Priſoners Arm move up and down as if ſhe Clipp'd Money or ſomewhat elſe like it; and that ſhe ſaw both Broad Money and Clipp'd Money lie before her, but ſhe could not ſay that ſhe ſaw any Shears in her Hands, neither did ſhe ſee her actually Clip: But another Witneſs Swore that ſhe ſaw not only the Money, but a pair of Shears lie by her, and ſome Clippings, ſome of which were produced in Court, and a pair of Scales and Weights, and after ſhe heard a ſnapping of Shears: There were other concurring Evidence in the matter, who ſwore plainly the matter of Fact aforeſaid, and the Bag of Clipp'd money was produced in Court, which was very rough, being newly Clipp'd.

The Priſoner urged that her Servants had been hired to convey ſuch things into her Houſe, and that ſhe new not how the Bag of Clip'd money came there, (and that Nurſe who was her Servant and had Sworn againſt her) had Robbed her of a Pillow-beer, a Frock, and a Set of Window Curtains, which the Priſoner owned to be hers: Another Evidence on the Priſoners ſide, ſwore that the Nurſe declared that ſhe muſt go out of Town and abſcond her ſelf, for that ſhe had ſtolen ſome things from her Miſtreſs, and ſhe would Proſecute her for the ſame, therefore ſhe feared her, *&c.* Some other Witneſs ſaid that they had dealt with the Priſoner and took good money of her, and that they never knew any evil by her. The Priſoner ſtill urged her Innocency, and declared that the Bag of mony which proved to be Clipp'd, was left at her Houſe, by one *Cha. Phillips* who was gone into the Country, to whom ſhe had ſent a Letter, but could not hear of him, and could not prove any thing on her behalf to any purpoſe; ſo after a very long and fair Tryal, ſhe was found guilty of High Treaſon.

*Eliſabeth Williams* was Tryed, for that ſhe together with one *Thomas Chriſtian* not taken, did break the Houſe of one *Thomas Marſh* of *Hampſtead*, on the 26*th* of *June*, and taking away a Braſs Skimmer, value 18 *d.* ſeveral Pewter-diſhes and Ladles, 14 *l.* weight of Beef, a Cloth Coat, and divers other Goods of good value: The Houſe was broke open in the Night-time, and the Goods carried away by the Priſoner and *Thomas Chriſtian*, which were found upon her, ſhe denyed it at the Tryal for that did not avail her; She was found guilty [illegible].

*William Blackford*, *Sarah Blackford* his Wife, and *[illegible]* their Servant, were all three Arraigned upon an Indictment of High-Treaſon, for Clipping, Filing, and diminuſhing the Current Coin of this Kingdom, on the 15*th* of *June*, in the Pariſh of St. *Giles* in the Fields, in the County of *Middleſex*. *William Blackford* confeſt the Indictment upon the Arraignment: The Evidence ſwore, that upon ſearch of the Houſe where Mr. *Blackford* lodged, Mr. *Blackford* was found in Bed with Shears, Clippings, and all neceſſary Inſtruments about him, upon which he cried out, *O Lord, Gentlemen, I am a Dead Man, for I Alone taken in the very Act, and I alone am the only Perſon Guilty*: And one of the Priſoners

was

was ſtanding by the Bed's ſide working ſome Needle-work, and the other let the Conſtable and his Aſſiſtants in at the Door, but none ſwore that either of the Women were actually concerned in the Fact. The Priſoner, *Mr. Blackford*, was ſitting upright in his Bed with the Shears in his Hand faſtned to a Billet lying upon his Knees, with all other Implements about him, the Priſoners call'd ſome Evidence, who gave account that they were always Perſons very Induſtrious and Diligent, and work'd hard for their Living; and their were none that ſaw the Women commit any Offence: So after a diſtinct Hearing, they were both Acquitted.

*George Pitts* of the Pariſh of St. *Dunſtans* in the Weſt, Gentleman, was Arraigned upon two Indictments for Killing *John Hoyle*, Gent. of the *Temple* in *London*, the firſt Indictment was laid for the Murther at Common Law, the ſecond upon the Statute of Stabbing, but the Grand-Jury committing an Error, (which was by Endoriſing *Billa Vera* on that Bill for Stabbing, when it was really agreed by all of them, that it ſhould have been an *Ignoramus*, and *Billa Vera*, ſhould have been upon the Bill at Common Law) this did occaſion a great Controverſie in Court; the Jury acknowledged that it was a great Miſtake, committed by one of their Brethren, who did plead perticularly for himſelf, telling the Court that he was the only Perſon, that had the Misfortune to make that Error, which he was heartily ſorry for, and hoped therefore that the Gentleman who was to be Tryed, would ſuffer no particular Damage, withal excuſing the reſt of his Brethren, upon this the Judges did differ ſomewhat in their Opinions, fearing that if it ſhould be altred it might make a Preſident for the future: So at laſt did agree to try the Priſoner upon both the Indictments, which ſet forth that on the 27*th* day of *May* laſt, about two of the Clock in the Night of the ſame day in the Pariſh aforeſaid, the Priſoner in his Rage and Malice before-thought, In and upon the ſaid *John Hoyle*, did make an Aſſault, and with a Sword value 5 *s.* upon the Left ſide of the Body of the ſaid *John Hoyle*, did Strike, Stab and Thruſt in the ſaid *John Hoyle*, having no Weapon drawn, giving him one Mortal Wound of the breadth of one Inch, and of the depth of five Inches, of which the ſaid *John Hoyle* then and there inſtantly died: The matter of Fact was thus; That the ſaid Mr. *Pitts* and two or three more Gentlemen, being drinking at the *Young Devil-Tavern* in *Fleet-ſtreet*, Mr. *Hoyle* was ſent for, who came, and after ſome time, Mr. *Hoyle*, without any Provocation, began to talk very ſcurrilouſly againſt the preſent Government, and ſpake very unbecoming words againſt the Perſon of King *William*, whereupon Mr. *Pitts* replied, That he was very hard to be pleaſed if this King would not pleaſe him who was now hazarding his Life for Us, and Mr. *Hoyle* continuing to rail againſt all Government, Mr. *Pitts* endeavoured to perſwade Mr. *Hoyle* to lay by ſuch diſcourſe, but he would not, but gave the Priſoner, Mr. *Pitts*, very unworthy Language and provoking Words, calling him Coward, or to that effect, thereupon Mr. *Hoyle* and Mr. *Pitts* riſing up Mr. *Clarke* (one of the Gentlemen in the company) put himſelf between them, and deſired Mr. *Pitts* to be pacified, then ſaid Mr. *Pitts* (Mr. *Clarke*) pray take my Sword, for you know it is not fit for a Gentleman to hear this Language with a Sword by his ſide, then Mr. *Hoyle* went away, but after a little time he came back again, and forced himſelf into the company, and then gave the Lye to Mr. *Pitts* three times, when he ſaid nothing to him, whereupon Mr. *Pitts* told him this is meer Madneſs, and took the Glaſs and ſaid here's to you, Mr. *Hoyle*, and drank to him; then Mr. *Pitts* paid for the Wine and went away, and Mr. *Hoyle* and the reſt followed him, after this there were ſome Propoſals made of a Place to Fight on the Morrow, and then they two going along the ſtreet together, (the other two Gentlemen going towards *Temple-Barr*) when they came over againſt the *Temple-Gate*, they fell to'ul upon each other, Mr. *Hoyle* firſt taking Mr. *Pitts* by the Crevate, tore it, and almoſt ſtrangled him, then ſtruck him over the Head with a Stick, upon which Mr. *Pitts* was forced to ſtand upon his Guard and drew his Sword, not knowing but the Deceaſed had drawn his; ſo at length Mr. *Hoyle* received the Wound aforeſaid, which the Chirurgeon gave account was Mortal, then Mr. *Pitts* went off: It was fully proved that Mr. *Hoyle* firſt began, and was the occaſion of all the Quarrel, and ſeveral Witneſſes were called, who gave account that Mr. *Hoyle*, in his life-time, was a Perſon much addicted to quarrelling, &c. Whereas, on the contrary, Mr. *Pitts* called ſeven Peers, and ſeveral Perſons of Quality, who ſatisfied the Court that Mr. *Pitts* had always been a Gentleman of a very obliging, peaceable, quiet and moderate Behaviour in all Company, no ways given to Paſſion or Revenge, and the Priſoner himſelf did very affectionately declare that he had no manner of Antipathy againſt Mr. *Hoyle*, nor never but once before was in his company, and that what he did was in his own defence, for which great Misfortune he was heartily ſorry, for he did not intend any ſuch thing that happened: He produced the Gentlemen who were at the Tavern with him, and ſaw all that paſſed, who gave a fair account of the matter of Fact, as aforeſaid, which was of great Satisfaction to the Court, how that Mr. *Pitts* was much abuſed, Mr. *Hoyle* calling Mr. *Pitts*, *Poultroon*, Raſcally Coward, &c. telling him his Sword was Ruſty, with ſuch like aggravating Language, &c. The Tryal was very long, and great Care was taken on both ſides; So the Gentlemen of the Jury having withdrew for a ſmall time, and being returned, gave in their Verdict that Mr. *Pitts* was only Guilty of Manſlaughter.

After which he petitioned the benefit of his Clergy, and deſired his Prayer might be Recorded, which was done accordingly, and an Appeal for Murther was brought againſt him: He gave ſufficient Bail to anſwer the ſame at the next Seſſions, &c.

*Elizabeth Landale* was Tryed for ſtealing ſecretly from *Henry Cowberne* 10 *s.* in Money, on the 13*th* of *June*, he met her in the *Strand* going along the Street, and went to an Ale-houſe to drink, and whilſt it was drawing ſhe pickt his Pocket, upon which (miſſing his Mony) he apprehended her and brought her before a Juſtice, which was very plain, &c. Beſides ſhe confeſt it before the Juſtice, but upon her Tryal ſhe pretended that the Proſecutor would have debauch'd her, and that ſhe never medled with any of his Money, &c. So upon the whole the was found guilty to the value of 10 *d.*

*James Hylton* of St. *Clement-Danes*, Milliner, was Tryed for moſt Scandalous, Baſe and Curſed Words againſt Their preſent Majeſties, *viz.* He was heard to pronounce theſe *Engliſh* Words, *God Damn King* William *and Queen* Mary, *and God bleſs King* James *and Queen* Mary, *and God Damn all the Nation; and God bleſs my Self*, which was plainly proved upon him: The Priſoner ſaid he was much in Drink, yet he was found guilty of a Miſdemeanor.

*Margaret James* was Tryed for ſtealing 2 Cheeſes from *John Robby*, value 3 *s.* the Cheeſes were found in her Cuſtody not far from Mr. *Robby's* Shop-door, which was corroborated by other concurring Evidence, who ſaw her (through a Hole made on purpoſe) take the Cheeſe off the Shelf, which ſhe confeſt before the Juſtice: So ſhe was found guilty to the value of 10 *d.*

*Aaron Huſſe* was Tryed for driving his Cart-wheel laden with Grains over the Head of one *Jacob Briſcoe*, a Child, on the 17*th* of *May* laſt, in the Pariſh of St. *Giles Cripple-Gate*, giving him ſeveral mortal Bruiſes, of which he their inſtantly died: The Evidence ſaid the Cart was driving up *White-Croſs-ſtreet*, and the Child being ſtanding near the Wall, the off Wheel coming near it, the Child fell down under the Wheel, upon which the Priſoner hearing the Child Screek out, did endeavor all in him lay to ſtop his Horſes; the Priſoner proteſted his Innocency, and was ſorry for ſo ſad an Accident: So he was acquitted of the Murther, and the Jury found that it was done by Misfortune; ſo he gave Bail to bring his Pardon in Courſe next Seſſions.

*Anne Belcher* was Tryed for ſtealing a pair of Flaxen Sheets, and ſome other ſmall Goods from *Margaret Lancaſter*, Widow, on the 14*th* of *Feb.* in the Second Year of Their Majeſties Reign, the Priſoner was a Lodger in the Houſe for one Night only, and in the Morning after ſhe was gone, the Goods were miſſing, but none were found upon her: She was Acquitted.

*John Valentine* was Tryed for ſtealing from *Thomas Venning* of St. *James Clarkenwell*, on the 26*th* of *June*, a Petticoat value 2 *s.* a Blanket value 6 *d.* The Priſoner was met coming down Stairs by the Wife of *Venning*, but he threatning of her, ſhe let him ſlip away, but being purſued and knockt down, the Goods were found in his Breeches, all which he could not deny: So he was found guilty of Felony.

*Edward Coney* was Tryed for a Miſdemeanour, in that he being a Perſon of a turbulent and an unquiet Behaviour, and an Enemy to the Preſent Government, on the 28*th.* of *November*, in the Third Year of their Majeſties Reign, in the Preſence of ſeveral of the Subjects of the preſent King and Queen, did aſſert, declare and ſay, That King *James* had an Army of 40000 Men in Arms in *France*, who intended to Land in *England* the following Summer; and that on the Second of *January* following, he did Drink to the Health and Proſperity of King *James* and the *French* King, and the Reſtoration of the Late King *James*: And at another time he drunk a *Health* to King *James* his Queen, and the Royal *Embrio*; and at the ſame time as an addition to the reſt of his Malice and Spleen, he expreſt thoſe words, *That Hunch-Noſe* William *was a Thief and a Robber, and deſerved to be Hanged as much as a Common Theef, for he had Stolen Three Kingdoms.* &c. And of our preſent Queen *Mary* he ſpake very irreverent words. All which baſe Language and virulent Expreſſions were fully proved upon him, altho he pretended that he never was concerned with the Evidence that Swore againſt him; ſo after a diſtinct Hearing, he was found guilty of the Indictment.

*Randolph Alanakre* was Tryed for a Burglary together with *Lancelot Hen-ly* co-; but nothing could be proved againſt them, ſo they were Acquitted.

*Hannah Mayle* was Indicted for ſtealing from *Margaret Young* Widow, of *Weſto-Chappel*, Two Serge Mantua Gowns, value 17 *s.* a Baize Petticoat, a pair of Bodice, ſeveral Aprons, &c. *Young* ſaid that ſhe came to Lodge with her, and took the Goods

and Pawned them in *East-Smithfield*, which she confest before the Justice, but upon the Tryal she said the Prosecutor lent her the Goods, but that was but a feigned excuse; so she was found guilty to the vale of 10 *d.*

*Susan Humphreys* was Indicted for stealing a Hempen Smock and other things from one *Geo. Cooper*; but no Evidence coming against her she was Acquitted.

*James Hulk* was Indicted for Breaking the House of *Andrew Vaughan* of the Parish of St. *Andrew Holbourn*, on the 14*th.* day of *November*, in the second year of their Majesties Reign, and taking away two Silver Tankards, value 11 *l.* a Point Cravat, value 20 *s.* three Muslin Neckcloths, with other Goods of good value. Mr. *Vaughan* Swore that the Prisoner being at *Portsmouth* a Soldier, he made his brags amongst his Fellows, that he had bit the Biter; being ask'd who that was, he replyed *Andrew Vaughan* the Baily upon *Saffron-hill*; and that he had bit him of a Clank (meaning a Tankard) and other things, *&c.* and being Affrighted, he was forced to leave his Dubb in the Door, (meaning his Pick lock Key) which was found in the Door accordingly, but the Evidence to prove the Indictment on Mr. *Vaughan's* behalf, appeared to be a Person of Ill Fame, therefore the Gentlemen of the Jury did not think fit to believe her Depositions; so he was Acquitted.

*John Ward* was Indicted for a Misdemeanour, for that he the 30*th.* of *June*, and divers other times, did drink a Health to late King *James*, and to his Royal Consort Queen *Mary*, and also to the Prince of *Wales*. He confest the Indictment, and submitted himself to the Mercy of the Court; and having a Family of Children, besides being out of his Place in the Excise Office, the Court was pleased to Commisserate him so far as to Fine him only 20 *l.*

One *Cole* being lately Apprehended for the Murther of Dr. *Clench*, was ordered to remain to answer the same next Sessions.

*Edward Frances* the *Black*, who was Tryed some time since, and Fined ten Groats, was ordered to be Discharged paying his Fine.

One *John Hall* a Notorious Highway-Man, was ordered to Remain; so was one *Robert Adderton* an old Offender.

One *William Tiscomb* a Young Man, was Discharged, no proof coming against him for Marrying two Wives.

*Daniel Brett* and *Giles Wilcox*, Ministers, who were committed for High-Treason, were order'd to apply themselves to the Lord Chief Justice.

*Robert Ingram*, for coming into *England* out of *France*, without their Majesties Licence, was ordered to apply himself to the Right Honourable the Earl of *Nottingham* for Bail.

Sir *Solomon Swale* committed upon suspicion of High-Treason, moved by his Counsel to be Discharged or admitted to Bail, was referred to the Lord Chief Justice of *England*.

*Major Crawford* Committed for High-Treason, was ordered to remain till further Orders.

*Knyvet Hastings* and *Edward Rigbey*, having the usual Oaths of Fidelity to the present King and Queen tendred to them, refused it, and only submitted to the *Test*, made in the Reign of King *Charles* the *First*, concerning *Transubstantiation*, so they gave Bail for their good Behaviour till such time they shall take the Oaths aforesaid.

The Tryals being over, the Court gave Sentence as followeth:

## Burnt in the Hand, 21.

*James Lerven, Joseph Drowster, William Smith, James White, William Blatbwait*, (a former Convict) *Katherine Davis, Nicholas Legg, Nath. Williams, Anne Hazlewood, Mary Griffeth, Susannah Clark, Dorothy Wright, Ruth Herne, Anne Wilkinson, Mary Mullinax, Sarah Burrowes, Anne Nash, Elisabeth Williams, Elisa. Fisher. Grace Dempsey* and *Anne Symson*, former Convicts.

## Persons received Sentence of Death, 5.

*John Algood, Richard Johnson, Samuel Hurley: Ruth Phillips* Condemned to be Burnt, but found Quick with Child, *William Blackford.*

## To be Transported, 2.

*Edward Kallaway* and *Elisabeth Lee.*

## To be Whipt, 4.

*Margaret James, John Valentine, Elisabeth Landale*, and *Hannah Mayle.*

## Fined as followeth.

*James Hilton* fined 5 *l.* and ordered to find Sureties for his good Behavior.

*William Coney* fined 50 *l.* to find Sureties, and to stand committed till all be performed.

*John Alden* being Poor and Insufficient to pay a Fine, was ordered to be set in the Pillory on *Toursday* next at *Charing-Cross*; and after that to find good Sureties.

The next ensuing Sessions was ordered to begin at *Justice-Hall* in the *Old-Baily*, on *Wednesday* the 31*th* day of *August* next by Seven a Clock in the Morning.

God Save KING William and QUEEN Mary.

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I *Do hereby Authorise and appoint* George Croom *of* London, *Printer, to Print and Publish the Tryals and Proceedings at the several Sessions of* Over *and* Terminer, *and Goal Delivery to be held within this City at the* Old-Baily, *during the remaining time of this Year of my Mayoralty. And that no other Person or Persons whatsoever, presume to Print the same.*

Dated the 25*th.* day of *June*, 1692. Thomas Stamp, Mayor.

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## *ADVERTISEMENT.*


The Young Student's Library: Containing Extracts and Abridgments of the most Valuable Books Printed in *England* and in the Foreign Journals, from the Year 1665. to this time. Printed for *John Dunton* at the *Raven* in the *Poultrey*: Of whom is to be had the *Entire Set* of *Athenian Gazettes* and *Supplements* to 'em, for the Year 1691. (or single *Mercuries* to this time.)

Infants Baptism from Heaven, of Divine Institution. Being a Brief yet Satisfactory Answer, to some Objections made by *Hercules Collins*, in his Book Entituled, *Believers Baptism from Heaven; Infants Baptism from Earth*, &c. against certain Truths proved in a Book Entituled, *Baptism Anatomized*. Propounded in Five Queries, by THO. WALL. Printed for *William Miller*, at th: *Gilded Acorn* in St. *Paul's* Church-yard; where Gentlemen and others may be furnished with Acts of Parliament, Speeches, and other sorts of Discourses and State-Matters; as also Books of Divinity, Church-Government, Humanity, Sermons on most Occasions, *&c.* MDCXCII.

THese are to give Notice to all Persons for the Benefit of the Publick, that *W. Elmy* Professor of Physick, and *Operator* of known Integrity, and above 25 Years Practice, Liveth at the Blew-Ball in *Whale-bone-Court*, at the lower end of *Bartholomew-lane*, by the *Royal-Exchange*, Who most safely and expeditiously Cures *Deafness* and *Noise* in the Ears, in any of what Age soever, (if Curable) and at first sight by inspection, resolves the Patient if so or not, as most Eminent Persons of Quality in the City can Testifie.

He hath likewise a Sovereign *Head-Pill*, which Infallibly Cures all Pains in the Head, whether old or newly Contracted; speedily taking away all Swimmings and Giddiness, preventing the dangerous Consequence of *Apoplectical Fits*, preserves the Sight, and takes away all Accidents offending the Eyes; Strengthens the Memory, and disburthens the Brain of all offensive Humours, thereby rendring the Understanding more clear and Vigorous. These Pills with Directions.

He hath likewise an expeditious way, in Curing all Pains in the Teeth without Drawing.

He hath likewise a most Excellent Gargarism or Mouth-water, which will make black or yellow Teeth as white as Ivory in few times using; and it will certainly Cure the *Scurvey*, and all other Diseases incident to the Mouth, Teeth and Gums, with Directions.


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*LONDON*, Printed by Richard Smith for George Croom, in *Thames-street*, near *Baynard's* Castle, 1692.

# THE PROCEEDINGS ON THE King and Queens Commissions Of the PEACE,

And *Oyer* and *Terminer*, and *Goal-delivery* of *Newgate*, Held for the City of *London*, and County of *Middlesex*, at Justice-Hall in the *Old-Baily*, the 31*th* of *August*, and 1*st* and 2*d* days of *September*, 1692. *And in the Fourth Year of Their* MAJESTIES *Reign.*

AT the Sessions Held at Justice-Hall in the *Old-Baily*, on *Wednesday*, *Thursday* and *Friday*, being the 31*th* days of *August*, and 1*st* and 2*d* of *September*, 1692. before the Right Honorable Sir *Thomas Stamp*, Kn. Lord Mayor of the City of *London*, and Mr. Sarjeant *Levewell* Recorder of the said City; Together with other of Their Majesties Justices of the City of *London* and County of *Middlesex*.

*The* Jurors *were as follows,*

| London Jury. | Middlesex Jury. |
|---|---|
| *John Clay,* | *John Tempest,* |
| *Edward Sherly,* | *John Page,* |
| *John Ruddyer,* | *Robert Norris,* |
| *Cuthbert Leigh,* | *Richard Ingram,* |
| *Thomas Wilson,* | *Giles Groom,* |
| *Thomas Milbourn,* | *Thomas Howard,* |
| *Benjamin Evans,* | *Thomas Mead,* |
| *George Pesthow,* | *John Chaser,* |
| *Archibald Wilson,* | *William Hopper,* |
| *Thomas Applebery,* | *John Harrison,* |
| *Nicholas Harris,* | *John Marsh,* |
| *Ralph Keates.* | *John Milgate.* |

*The Tryals of the Prisoners were as follows.*

*John Ferguson* and *Philip Williams*, were Tryed for Stealing a Silver Tankard, value 6 *l.* on the 13th of *Aug.* from one *Richard Masters* of the *Tower-Ward*, *London*; the Prosecutor swore that two Genteel Men came to the House to Drink, and in a little time after the Prisoners came to them, and then the other Men went away, and the Tankard was gone, leaving a Pewter-pot in the room of the Tankard; but the Prisoners were stopt in the Room where the Tankard was; the Tankard was not found about them, but they could give no good account of themselves, and were lookt upon to be very idle Fellows: So they were both found Guilty.

*Michael Hall* was Tryed for Stealing a Silver Tankard from one *Martha Parnel*, Widow, value 5 *l.* on the 28th of *July* last, the Matter was plain against him, how that he came to the House of Mrs. *Parnel*, and after having staid a small time there he Run away with the Tankard: So he was found Guilty.

*John Noble* was Tryed for Stealing a Piece of Linnen Cloth, on the 6th of *August* last, value 16 *s.* A Load of Cloth being Unloading at one Mr. *Dixy Kents* Door, the Prisoner was seen hovering about the Cart with three more, whereupon Mr. *Dixy's* Man having a Suspicion of them, watches their Demeanor, and by and by catches the Prisoner with a piece of Cloth in his custody; The Prisoner denied it, but he was found Guilty.

*B——J——* was Indicted, for that he together with one *Henry Turner*, not yet taken, was Tryed for breaking the House of one *Bryant Brandon*, on the 24th day of *July* last, between the hours of three and four in the Night, Stealing Twenty two Pound weight of Hair, value 100 *l.* Three Razors tipt with Silver, value 2 *s.* and three Leather-Bags, value 6 *d.* The Prosecutors declared that the aforesaid *Turner* was a Lodger in their House, and the Prisoner was wont to make Visits often times to *Turner*, and was very familiar with him; and it was proved, that the Prisoner Sold a Lock of Hair to a Barber, which the Prosecutor owned to be his Hair: The Prisoner said that he bought the Hair of a Woman that came to his Shop, one *Eldridge*, but he could not prove it, so it being proved that he came to the House with *Turners* leave, he was acquitted of the Burglary, but found Guilty of the Felony.

*Margaret Smith*, alias *Pledwell*, alias *Vaughan*, was Tryed for Stealing from one *Nich. Osborne*, on the 9th of *July* last, two pieces of Gold, value 14 *s.* one Shell-box tipt with Silver, value 12 *d.* one little Bag with 40 *l.* in Money; The Prisoner was entertained as a Lodger at the Prosecutors House in the Parish of St. *Andrews Holborn*, and when Opportunity served, she took away the Gold and Silver aforesaid; and a while after she was found in *Newgate* committed for another Fact: She denied the Fact at first, but after would have given the said *Osborne* Bond for the Money, but as for the Gold she had sold it to a Goldsmith, where it was found: The Prisoner denied the Fact at her Tryal, but there was other concurring Evidence besides the Prosecutor, that proved the Fact plainly upon her; So she was found guilty of Felony.

*Charles Pynes* and *Thomas Noon*, were both Tryed for a Robbery in the Kings-high-way, committed upon the Body of one *Rich. Shallcross*, Gent. on the 19th of *May* last; Mr. *Shallcross* being passing along the High-way, about 11 of the Clock at Night, between the two Kings Gates at the end of *Grays-Inn Lane*, where

where three or four Persons fell upon him, holding Pistols to his Breast, and threw him upon the Ground and gag'd him, and took from him two Gold Rings, value 12 s. a Gold Seal'd-Ring, value 25 s. one Walking-Cane with a Princes Metal handle, value 15 s. one half Guinea, and 30 s. in Money, &c. But Mr. *Shallcross* could not charge the Prisoners positively to be either of the Men, but what knowledge he had was from *Johnson*, alias *Gee*, Condemned the last Sessions, which in Law was no Evidence: So they were both Acquitted, but not without great Suspicion of being Guilty.

*James Crook* was Tryed for Felony, in driving his Coach and Horses against one *Edward Newman*, as he was driving his Cart near the Conduit in Tyburn Road, on the 25th of *July* last: The matter of Fact appeared thus, The Prisoner and the Deceased meeting in the Road, a Quarrel arose about giving the Way, and the Prisoner was seen to force the Pole of his Coach against the Deceased, which thrust him down before the Wheel of the Cart, which run over him and bruised him, insomuch that he Died; but this was only a Boys Evidence, who might be mistaken in the matter, and the Prisoner called several Persons, who declared, That the Deceased was on Horseback, driving his Cart, and the Horse stumbling, he fell off under his own Cart-Wheel, and that the Coach-man was behind him when it was done, and was no ways concerned in the Matter: So he was Discharged.

*George Holmes* was Tryed for Breaking the House of one *Richard Parker* a Baker, in the Parish of St. *Paul's Covent Garden*, on the 2d. of *August*, with an intention to Steal his Goods. The Prisoner was found in the Shop about One a Clock in the Night, and the Window was Broke open, which the Prosecutor swore was shut before; besides, there was a Chizel and other Implements found about him; and his Shoes were put off when he was Taken. He had nothing to say, but that he was in Drink; so he was found Guilty.

*M——C——F——* was Tryed, for that he together with one *John White* and *Philip Davies* not Appearing, did Break the House of one *John Reynolds*, on the 15th. of *May* last, about Three of the Clock in the Night, in the Parish of St. *Martins Ironmonger-Lane*; and taking away one Silk Scarf, value 2 l. one Gold Ear-Ring, value 2 l. one Silver Spoon, value 6 s. and 150 l. in Money. The Evidence declared, That on *Whit-Sunday* whilest Mr. *Reynold's* Servant was at Church, the House was Broke open, and the Goods gone, and three Men were seen to come out of the House, and shut the Door after them: But there were none that could charge him home, only upon Suspicion, the Prisoner having a very bad Repute before to have been an Old Thief; and that when he had heard that *Davies* was taken, he Fled, but afterwards was Taken for another Fact in *Southwark*; and one Evidence Swore, That he was seen walking up and down *Ironmonger-Lane* on the day the Robbery was Committed. The Prisoner urged, that he was Indicted out of Malice, because he had been in Law with them; but that did not appear, and he was found to be a Perfidious Fellow, and in several Stories; yet no Evidence was produced to charge him home; so he was Acquitted.

*Francis Turner* was Tryed for Picking the Pocket of one *Philip Deaves*, on the 4th. of *May* in the *Tower* Ward, and took out of it 20 s. in Money. The Prisoner being in the Prosecutors House a Drinking, he pick'd his Pocket; and Mr. *Deaves* Swore positively that he was the Person, for that he run away whilst he was stopping down for two Pieces that he had dropt. He was found about two Months after. The Prisoner denied the Fact, and said, that he did not run away, but no one was in the House but the Prisoner, the Prosecutor was very sure that he was the Person. He was found Guilty.

*Margaret Pledwell* was a Second time Tryed for stealing a Silver Tankard, value 5 l. from one *Edward Hare* of St. *Andrews Holbourn*, on the 18th. of *July* last. The Prisoner came to Mr. *Hare's* to Drink, and whilst Mrs. *Hare* was drawing some Drink for a Neighbour that came in, she slipt away the Tankard, and went away with it about two Doors off, and being called back, the Tankard was found upon her: She came in very fine Apparel to Mrs. *Hare's* much like a Gentlewoman, thinking to put a Cheat upon him; but she was found Guilty for it.

*Mary Stoakes* alias *Adams*, was Indicted and Tryed for Marrying two Husbands, The first Named *Tho. Adams*, whom she Married at St. *James Dukes Place*, on the 15th. of *July*, in the Fourth Year of the Reign of the Late King *James*; which was fully proved by several concurring Evidence.

The Second Person she Married, was one *William Carter*, whom she Married on the 12th. of *July*, in the Fourth Year of the Reign of our Sovereign Lord and Lady King *William* and Queen *Mary*, in the *Minories*; which was also fully proved upon her; and that she Run away from both her Husbands, as soon as she had Married them, and changed her Name of *Adams* and *Carter*, into that of *Elliott*, and gave out that she was a Maid, and had an Estate; all which was look'd upon to be a Cheat; and the Court was pleased to direct the Jury that the Proof was very strenuous against her; besides both the Husbands were in Court. She could say but little, and had no Evidence; so upon the whole, she was found guilty of Felony.

*F——J——* was Tryed for stealing privily from one *Mary Patey* the sum of 40 s. on the 13th of *August*: She came to Mrs. *Patey's* Stall in *Leaden-Hall* Market, to Cheapen a Quarter of Lamb, and pick'd her Pocket; but she immediately missing her Money, stopped her, and she dropp'd the Money upon the Ground: The Prisoner called some Evidence for her Reputation, who said, they knew no Evil by her; but the Prosecutor being positive, she was found guilty of the Felony.

*Judith Rolphe* alias *Peirce*, was Arraigned for stealing three Linnen Baggs, value 3 d. and 163 l. in Money, on the 2d. of *February*, in the Third Year of the Reign of King *William* and Queen *Mary*, &c. from one Mr. *Edw. Fleming*; to which Indictment she pleaded Guilty.

*Jane Reynolds*, was indicted for stealing from one *Dorothy Newman*, one Silver Spoon, value 2 s. 6 d. one silver Buckle, value 12 d. The Prisoner was a Lodger at Mrs. *Newmans* and stole the Goods; the Prisoner did not much deny it, for it was found upon her: She was found guilty of Felony to the value of 10 d.

She was a Second time Indicted for Robbing one Mr. *Rob. Grigg* of St. *Giles* in the Fields, of 7 Yards of Gray Lace, value 2 s. three yards of Gold Ribboning, value 2 s. and one Gaws Hood Lac'd, value 3 s. The piece of Ribboning was found in the Prisoners Box, which she confess'd upon her being Examined before the Justice: She begg'd the Mercy of the Bench, and so was found guilty only to the value of 10 d.

*Thomas*

*Thomas Martyn*, *Susanna Martyn* and *John Basdell*, were all three Tryed for Felony and High Treason, in Clipping, Filing and Diminishing the Current Coin of this Kingdom, in the Parish of *White Chappel*. The Witneses Swore, that upon search of the House there was found a pair of Sheers laid in the Garret, and some Filings; and a Bag of Clippings was found in the Tiles in the House of *Martyn*, and *Susanna* hid seven Guinea's in her Mouth, and a piece of Clipping, which (being fore'd) she let go: There were several other Files and Rubbing Leathers found about the House, besides, they denied to open the Door when the Constable demanded Entrance; and several other things fit for the Trade of Clipping were found in *Basdell*'s House: It appeared upon the whole series of the Matter, that they were all equally concerned, for that there was a Melting pot taken out of the Fire by *Susanna* full of melted Silver, and she was wont to sell the same to a Goldsmith somewhere towards *Westminster*; and to put a better Colour upon the Roguery, she would get Guinea's changed for Broad-Money, adding withal, that the reason why she did so, was because she had a Relation in the Country that intended to give Legacies all in Broad-Money. The Prisoners were found out in *Goodmans-Fields* in one House, and in *Coverley's-Fields* in another, and the noise of Sheers was heard in the Night-time. *Thomas Martyn* denied all the matter of Fact, so did *John Basdell*, urging that he was a Lame Man, and was never able to Execute any such thing; the Woman denied all the Fact, and strove to extenuate her Crime, urging that the House had been a Publick house before she lived in it, and for ought she knew, the Clipt Money might have been left there 100 Years ago, for the said several Persons had been Hang'd out of the House before; but this did not prove to her Advantage, nor nothing that they could offer. So after a full and distinct Tryal, they were all three found guilty of High Treason.

*John Harris*, *Jonathan Sheldon*, and *Thomas Drury*, were all three Tryed, for that they together with *Richard Drury*, not Taken, Did Falsly, Peloniously, and Traiterously Counterfeit 60 pieces of Money made of Copper, Tin, and other mixt Metals, on the 25th of *August*, in *Gravil Lane* in *Ratcliff high way*. The Evidence swore that a Noise and Thumping was heard, (much like to beating of Hemp) in the House where the Prisoners were, whereupon Search being made, there were several Stamps found and a parcel of counterfeit Money, besides some Clippings that were cut off of the said Counterfeit Money; There were several Half-Crowns produced in Court against them, *&c.* The Prisoners denied the whole matter of Fact, but the Evidence on the Kings side was so plain and pregnant, that they were all found Guilty of High-Treason.

*Rebekah Browne*, *Elizabeth Warner*, and *Bethea Desborrow*, were all three Tryed for Clipping, Filing, and Diminishing the Lawful Currant Coin of the Kingdom, Together with one *Anne Palmer*, Wife of *Andrew Palmer*, not Taken; For that they all did Combine to deceive the King and People, on the 16th of *July* last, in Clipping 40 pieces of Silver called Half-Crowns, and 200 Shillings, and 50 Sixpences, with divers Shears, Melting-pots, and other Conveniencies fit for Clipping were found in the House; but particularly a pair of Shears with a Shilling fixed in them, were found in the House where the Prisoners were, there being no Person besides them in the House: Mrs. *Palmer* being fled away, and four pair of Shears were found fixed upon four little Tables, in a Chamber in the House with Wood under them, formally fixed fit for the Work, and *Warner*'s Fingers were all black as if she had been at Work, *&c.* And several other aggravating Circumstances were offer'd against them, *&c.* The Prisoners all denied the particulars of what had been sworn against them, and called some Evidence, which gave a very favourable Account of their past Lives; and no one could positively swear that they were the Actors of any such Crime, but rather that the said *Palmer* was the chief Actoress: Moreover *Desborrow* and *Warner* had Witnesses who gave the Court an Account that they were Persons who had always been very Industrious to Live in the World, the first being a Mantua-Maker, and the latter a Nurse Keeper, all which satisfied the Court so well, that they were all Acquitted.

*Mary Fisher* was Arraigned for Stealing a Silver Tankard, value 4 *l.* from one *Robert Harris*, to which Indictment she pleaded Guilty.

*Ann Roberts* likewise was Indicted for Robbing *James Warren* of St. *Andrews Holborn*, on the first of *August*, of a Scarff, a Hood, and some other Goods, and a Stuff Petty-Coat from one *Dabbs*, to which she pleaded Guilty.

Likewise *Joanna Harris* of St. *James Westminster*, was Arraigned for Stealing one Holland Smock, an Apron, and some other small parcels of Wearing-Apparel from one *Thomas Kinman*, on the 25th of *July* last, to which she pleaded Guilty, *&c.*

*John Evans* of *Allhallows Broad-street*, was Indicted for Coining 20 pieces of false Money, on the 12th of *August*, the Witness swore that the Prisoner offer'd several half Crowns to him to put off, and offer'd him Two Shillings in the Pound for broad Money in exchange of Clipt: The false Money was produced in Court as a further Evidence; but no one could swear that he coin'd the money, and there seemed to be Malice betwixt the Prisoner and Prosecutor; So he was Acquitted.

*James Browne* was Tryed for Stealing two Pistols, value 3 *l.* on the 4th of *July*, from *Cha. Allinson*, who said the Pistols were stole from him, and carried to a Brokers to borrow Money upon; the Prisoner said that he bought the Pistols, and call'd a Witness to prove it, one *Elizabeth Welcher*; but she could do him no good, for he confest it before the Right Honorable the Lord Mayor when first Taken: So he was found Guilty.

*Margaret Ray* was Arraigned for stealing some Callico Frocks, Taffety Ribboning, some Gloves and Caps, and divers other Goods; to which she pleaded Guilty.

*Ann White* was Arraigned for stealing a silver Tankard, value 4 *l.* 10 *s.* from one *Ralph Thompson*, on the 16th. of *July* last; to which Indictment she pleaded Guilty.

*Ann Herring* was Tryed for Feloniously taking from one Mr. *Bull* one silver Tankard, value 6 *l.* twelve Plates, and some other Goods: The Prisoner was a Lodger in the House, and one Night finding the Door open (where the Tankrad was) she took it and went away with it, and she owned in *Newgate* to have taken the Tankard, and that she had given it to one *Sarah Allen*, so she was found Guilty.

*William Warrington*, who was concerned with *Thomas Noon* in the Robbery committed in the House of *Don Diego Capillar* Esq; as is before specified at large in *Thomas Noon*'s Tryal, was Arraigned for the same, and Pleaded Guilty to the Indictment.

*Georg*

*George Baily* was Arraigned for Robbing one *Thomas Church*, on the 4*th.* of *June*, of 25 Yards of Crape; but no Evidence appearing, he was Acquitted.

*Mary Leichfeild* was Tryed for ſtealing a Cloth Coat from *John French*, on the 31*ſt.* of *July* laſt, but the Evidence could not Swear Poſitively againſt her. She was Acquitted.

*William Carter* was Tryed for Picking the Pocket of one *Matthew Deane* in *Smithfield*, whilſt he ſtood there ſelling Cattle, on the 19*th.* of *Auguſt*: The Priſoner Confeſt it before Sir *William Turner*, that he took it out of Mr. *Deane's* Pocket; but he denied it at his Tryal; yet he was found guilty of Felony.

*Dorothy Osborn* was Tryed for ſtealing a ſilver Tankard, value 5 *l.* from *John Collins* of St. *Martin's Ludgate*. The Priſoner came to Drink at Mr. *Collins's* Houſe and went away with the Tankard; ſhe was in Company with another Man, and they between them ſlipt it away. She denied the Fact, and the Witneſs could not be particular in the matter. She was Acquitted.

*Ann Halſtead* was Tryed for Felony and Burglary, in Breaking the Houſe of one *Thomas Marron*, on the 6*th.* of *April* laſt: The Houſe was open, and the Evidence could not ſay that the Houſe was Broke, but the Goods were loſt, *viz.* One Bed, value 40 *s.* two Blankets and one Quilt, value 20 *s.* one Pair of Curtains and Vallens, a couple of Candleſticks and a Sute of Child-bed Linnen, *&c.* The Priſoner confeſt the Fact when Taken, that ſhe open'd the Door in the day-time, and took the Goods and Pawn'd them to a Broker, where they were found: So ſhe was found guilty of the Felony, but diſcharged of the Burglary.

*Abraham Turner* was Tryed for Felony and Burglary, in Breaking the Houſe of one Mr. *Ridge*, on the 3 *d.* of *Aug.* carrying away 72 Ells of Linnen Cloth, value 3 *l.* 12 *s.* Twelve Yards more, value 30 *s.* Eleven Yards of Cloth, value 27 *s.* ſeveral other ſmall parcels of Linnen beſides of good value, *&c.* The Houſe was Broke open about Twelve of the Clock in the Night, and the Goods taken away, and the Watch ſtopp'd the Priſoner and two more, and ſeveral Pieces were found in his Breeches, but the other two got off: The Priſoner confeſt the Fact when Taken, but he ſaid he took the Goods up in the Street, and had little to ſay, and would not own any thing elſe at the Tryal: So he was found guilty of the Indictment.

*Phenix Wannerton* was Tryed for Stealing from *Thomas Whitehead*, on the 24th of *June* laſt, of *White-Chappel*, four Gold Rings, value 44 *s.* two pair of Sheets, value 10 *s.* four Pillow-bears 2 *s.* *&c.* The Priſoner was a Chare-Woman, to *Whitehead*, and whilſt the Family was abroad ſhe went away with the things, and the Rings ſhe had ſold to a Goldſmith, which were found. The Priſoner ſaid that another Woman came to fetch her to do a Days Work, and ſhe might take them; but that did not avail her; For ſhe was found Guilty of Felony.

*Charles Nurſe*, Gent. was Arraigned upon an Indictment of Murder, for Killing one *Page* a Gentleman, in St. *Giles* in the Fields, in *June* laſt; but the Proſecutor alledging that he wanted a Material Evidence, his Tryal was reſpited till next Seſſions.

*Katharine Morris* was Tryed, for that ſhe together with *Suſan Morris*, alias *Knight*, not taken, did Steal (on the 16th of *Auguſt*) Twelve dozen of Child-bed Linnen, value 12 *l.* Four Hoods, value 16 *s.* a Silk Scarf, and divers other things which were found in the Priſoners Houſe of Office, ſome of them and others found in her Trunk, which was fully proved: So ſhe was found Guilty.

*Ann Knot* was Tryed for a Treſpaſs, in ſpeaking theſe Seditious Words, on the Firſt of *Auguſt*, in the Preſence of one *Mary Skinner*, *God Dam*, *King* William, *I would Chip off his Ears for a Groat, if I could come at him*; Mrs. *Skinner* Swore it flat againſt her, but the Priſoner called ſome Evidence, who proved that they were at Varience, and a Grudge was betwixt them; for that *Skinner* was Jealouſe of the Priſoner: So ſhe was Acquitted.

*John Delamot*, alias *Debowre*, was Tryed for a Cheat, for that he together with one *Edward Leopman*, not Taken, did Deceive and Defraud one *Nath. Green*, Goldſmith, of the Sum of 60 *l.* of Currant Money of *England*, on the 10th of *Auguſt* laſt: The Priſoner and the other Perſon came to Mr. *Green*, and brought a Box, wherein were four Gold-Rings ſet with Diamonds, one Necklace of Pearl, with a Crociate of Diamonds, and deſired him to Lend them 60 *l.* upon the Rings and Diamonds, which Goods were right in their kind; but he putting them off, being the *Faſt-day*, they came on the next day, and brought another Box wherein were Two Farthings and Three pieces of Lead, ſtuft with Paper: And before he paid them the Money, they deſired to have the Box Sealed, and whilſt Mr. *Green* turn'd his Head from them, to call for a Candle, they put the Trick upon him, and gave him the Box aforeſaid, inſtead of the true Box of Rings, Necklace of Pearls, and Crociate of Diamonds, as aforeſaid. The Priſoner could ſay little in his Defence: So he was found Guilty of the Cheat.

*John Cole*, who was Committed not long ſince, upon Suſpicion of being one of the Ruffians that committed that Horrid, Barbarous and moſt Helliſh Murder, upon the Body of the Late Famous Doctor *Andrew Clench*, of the Pariſh of St. *Andrew's Holbourn*, in the County of *Middleſex*, for which, not long ſince, one Mr. *Harviſon* was Executed in *Holbourn*, was on *Friday*, the third day of this Seſſions, Tryed for the ſame: The Witneſſes were in Chief, one Mrs. *Miller*, (Wife of one *Miller* lately Deceaſed, and ſeveral others) who declared in Court, That her Husband *Miller* told her upon his Death-Bed, a little before he Departed; That he himſelf and Mr. *Cole* the priſoner at the Bar, were the two who were in the Coach with the Doctor, and Murther'd him by Strangling him with a Handkerchief tyed about his Neck, with a hard Sea-Cole in the ſame, placed upon his Wind-pipe, as appear'd to be ſo when the Doctor was found Dead in the Coach in *Leaden-Hall Street*; this was all that ſhe could atteſt in the Matter; ſo the Court were pleaſed to tell her, that if ſhe could ſay no more than that, it was no Evidence in Law; neither could any Jury whatſoever find any Perſon Guilty upon ſuch a ſlender Teſtimony, for that a Dying Man's words in the caſe of Murder, was no Evidence at all: There were two or three more Witneſſes Sworn and Examined, who ſaid, That the Priſoner was in Company with the ſaid *Miller* at the *Blew-Boar's Head* on the back-ſide

of

of St. *Clements*, that Night the Murder was done; and that there was another Perſon in Company with him, who went by the name of *Harper*, that the Priſoner did not know; all the Acquaintance he had was with the ſaid *Miller*; and that the Priſoner came into the aforeſaid Houſe about Eight a Clock, and never departed out of it till almoſt Twelve a Clock the ſame Night; but withal the Witneſs declared, that the ſaid *Miller* went away from him about Nine a Clock, and came no more till almoſt Twelve, and that when he came in, he was in a great Heat, and look as if he had been about ſome Extrordinary Buſineſs that might put him into ſuch a Fermentation; and that he brought in with him two Perſons in Red Coats like Soldiers, which in all probability *Harriſon* was one; and that after this time, the ſaid *Miller* was very much concerned, and would look into all *Gazettes* and News Papers, to ſee if he were not inquired after, and ſaid that he look'd to be taken up for it, or words to the ſame Effect; ſo that the Court concluded, that the ſaid *Miller* was certainly one of the Aſſaſſinates and *Harriſon* the other, notwithſtanding his indiſcreet denial of it at his Death; and if he were not, yet the Murderers would ſurely be detected, *&c.* So after the Court had gave their Opinons to the Jury as to matter of Law, and they having conſidered of the whole, returned a Verdict, That the Priſoner Mr. *Cole* was not Guilty.

*Mary Edwards* was Tryed for Robbing one *John Thompſon*, on the 22th of *Aug.* in the Pariſh of St. *Andrews Holborn*, of a Shift, value 2 *s.* one pair of Sheets, value 38 *s.* three Yards of Flanders Lace, value 40 *s.* a Silver Spoon, value 10 *s.* one Guinea, and divers other ſmall Goods, being the Goods of *Nich. Moſeley*; the Shift was found upon the Priſoners Back, and although ſhe denied it, ſhe was found Guilty of the Felony.

*Kath. Worden*, and *Martha Knight*, were both Tryed for Robbing one *Rich. Law*, on the Third of *Aug.* in the Pariſh of St. *Botolphs Aldersgate*, of 8 Yards of Bone Lace, value 40 *s.* which was fully proved: So they were both found Guilty of Felony.

*G——C——* was Tryed for Breaking one *William Monks* Houſe of St. *Giles Cripplegate*, on the 25th of *May* laſt, and carrying away one Lac'd Head dreſs, value 10 *s.* one Scarf 5 *s.* Seven Silver Tankards, value 42 *l.* two Guineas, and 50 *l.* in Money: *Monk*'s Wife ſwore that the Priſoner was one of the Men that came into the Chamber and Bound her Husband, and when ſhe put her Hand out of the Bed he cut her Hand; the Priſoner could not contradict it: So he was found Guilty of Felony and Burglary.

*Elizabeth Pynes*, alias *Pearſon*, and *Mary Holmes*, were Tryed for Shop lifting, in Robbing one *William Beres* Shop in St. *Martins* in the Fields, on the 11th of *July* laſt, of 17 Yards of Kilmarnock Stuff, value 10 *s.* They came to the Shop to cheapen ſome Goods, and uſing their Art of Legerdemane, they ſlipt away the Stuff, but being perſued and ſtopt, it was found about them. *Holmes* confeſt it when firſt taken, and ſaid it was but a ſmall Felony, and ſhe could not be hang'd for it; and they were not able to juſtifie their Credit: So they were both found Guilty to the value of 10 *d.*

*John Lewis*, and *John Turner*, both of St. *Andrews Holborn*, were Indicted for Stealing from *Rich. Leaver*, on the 13th of *July* laſt, one Silk [illegible]wn, value 40 *s.* two Petty coats 40 *s.* a pair of Silk Stays, value 20 *s.* and other Goods; The Priſoners came to Mr. *Leaver*'s Houſe to Drink, and being one pair of Stairs, they were catcht in the Cloſet, and a Pick-lock Key was found in the Balconey; they were ſtopt in their Enterprize, and did not carry off any thing, but yet according to the Intent of the Law, they were both found Guilty.

*William Frankin* was Tryed for Robbing the aboveſaid *Richard Leaver*, on the 8th. of *July* laſt, of two Gold Rings, value 1 *l.* 2 *s.* one Silver Seal, value 18 *d.* and 57 Shillings in Money. The Priſoner came to *Leaver* to hire a Lodging of him; he went up Stairs and was there alone a conſiderable time, and had but one Pot of Drink, and went away after he had paid for it; preſently after he was gone, *Leaver* miſſed the Rings and Money, and there was no other Perſon in the Room beſides; and he afterwards, (*viz.*) ſince he hath been in Cuſtody, offered to Compound the Matter, and the Trunk was Unlock'd where the Money and Rings were, in the ſame Cloſet that *Lewis* and *Turner* were found, as in the preceeding Tryal is made appear; but yet the Evidence was not ſufficient to ſatisfie the Gentlemen of the Jury; ſo he was Acquitted.

*Peirce Jones* of St. *Ann's Weſtminſter*, was Tryed for Burglary and Felony, in ſtealing from one *Gowen Barker*, one Padlock, value 4 *d.* on the 28th of *July* laſt. Mr. *Barker* Swore, that his Houſe was Broke open about Three a Clock in the Morning, by Four Perſons, who were ſeen (by a Watchman who followed them) go directly to the ſaid *Barker*'s Door, and the Priſoner was Taken, but the other three went away; a Petty was found lying near the Door, and ſome Matches and a Tinder box was found upon the Priſoner; but being Surprized, none of them had time to enter the Houſe. The Priſoner denied that he was there, and the Evidence were not ſure of it; only he ſaid he was going by accidentally; ſo he was Acquitted.

*Thomas Noon* and *Mary Noon* alias *Wharton* his Wife, were Tryed for a Notorious Robbery, committed in the Houſe of *Don Diego Capillar*, Eſq; the 30th of *June*, and taking away a numerous parcel of Money and Gold (*viz.*) One Box inlaid, value 4 *l.* one Silver Standiſh, value 7 *l.* 15 *s.* two Snuff boxes, value 5 *l.* 10 *s.* one little Box Chafed with Silver, value 1 *s.* one Gold Ring ſet with a Diamond, value 25 *l.* one other Ring ſet with a Table Diamond, value 30 *l.* one other Diamond Ring, value 4 *l.* 10 *s.* one other Gold Chain-Ring, value 17 *s.* 6 *d.* one Pearl Necklace, value 8 *l.* one Silver Porringer with a Cover, value 4 *l.* 5 *s.* four Spoons, value 10 *s.* two ſilver Snuff-boxes inlaid with Gold, value 3 *l.* four Latin Books, value 4 *l.* one Indian Stone, value 8 *l.* two ſmall Indian Pen boxes, value 4 *s.* twelve pieces of Spaniſh Gold, value 3 *l.* 10 *s.* with ſeveral Dreſſing boxes, Laced Ruffles, and other good Linnen of great value, beſides 57 *l.* in Moneys Numbred, all Spaniſh Money.

The Evidence was one *Head*, who goes by the name of My Lord *Head*; keeps an Ale-houſe at *Hockley* in the Hole, where *Noon* and his Wife uſed to Reſort, with one that went by the name of the Doctor, and to this *Head*'s Houſe they brought ſome of the aboveſaid Gold, and ſome Dreſſing boxes, *&c.* and the Goods were owned by the Proſecutor to be his Goods, and *Noon* was ſeen near the Houſe when the Robbery was Committed; and had owned before to have lodged ſome of the Goods under a Bed in *Head*'s Houſe, and the Doctor was one of his Gang, altho not yet Indicted for the ſame; but the Court has ordered an Indictment to be drawn up againſt him, who went by the Name of *Will. Warington* as his right Name, but by the Name of the Doctor as a Nick-name: *Noon* endeavoured to prove that he was elſewhere when the Robbery was done, but could not; ſo he was at length found Guilty; but his Wife was Acquitted.

*Peter Clarke* was Indicted for entring into the Chamber of one *Anthony Delabaſſet*, of St. *Ann Weſtminſter* on the 10th. of *July* laſt, with an intention to take away one Cloth Coat, value 40 *s.* one Rateen Coat, value 5 *s.* one pair of Breeches, value 20 *s.* He was found in the Chamber, but he had not time to take any thing way; ſo he was Acquitted.

*Jane Steward* was Tryed for ſtealing four Double Refin'd Sugar-Loaves, value 20 *s.* three Pound of the ſame, value 2 *s.* 6 *d.* eight Ounces of Sugar Candy, value 5 *d.* from Mr. *Jo. Bagnall*, on the 16th. of *Auguſt*. Mr. *Bagnall* ſaid that ſhe was his Servant ſome time before the Robbery was done; and that her Lodgings being Search'd, ſome of the Sugars were found in her Trunk; ſo ſhe was found guilty value 10 *d.*

*John Rouſe* was Tryed for ſtealing a Gold Ring, value 10 *s.* the Goods of one *Andrew Foreman* of the Pariſh of St. *Katherine Cree-Church*. The Priſoner came to the Shop of Mr. *Foreman* to buy ſome Goldſmiths Goods, and after he was gone, the Ring was miſt, which was found upon him a little after at a Goldſmith's Shop near *Aldgate*, where he was buying ſome other Goods, which he did not diſown; and that he put it into his Mouth; all which was fully proved. The Priſoner called ſome Witneſſes to prove his Reputation, and was at the preſent time a Servant, or an Eſſayer to the Company of Goldſmiths; and he buying ſome Goods of the Proſecutor, he might take it by a Miſtake; ſo the Jury Acquitted him.

*Joan Leigh*, *Elizabeth Cary*, and *Mary Knight* were Tryed for being Acceſſaries with one *Judith Rolph*, who before confeſt it, in ſtealing from *Edward Fleming* three Linnen Bags with 103 *l.* in Money, on the 3*d.* of *February* laſt: It was Sworn, that *Judith Rolph* was a Servant to *Fleming* when ſhe Robbed him; and that the Priſoners were ſharers with her in the Money. But this was not poſitively Sworn; ſo they were all Acquitted.

*Richard Blundervill* of St. *Giles* in the Fields, was Tryed for the willful Murther of one *John Farmer*, by giving him one Mortal Wound near the Right Pap, of the breadth of one Inch, and of the depth of ſeven Inches, on the 17th of *July* laſt, of which he died; the Fact was thus committed; The Priſoner and the Deceaſed, and two Men more, were walking along the Street together in *Drury Lane*, and they were Quarrelling, calling each other Rogues, *&c.* and preſently the Priſoners Sword was drawn, and likewiſe was the Deceaſed's, and they fell to Fighting, and immediately *Farmer* fell down dead, and the Priſoner was wounded very much; the Priſoner alledged, that he and the Deceaſed had always been Friends, and the thing was done in a ſudden heat of Paſſion: So he was found Guilty of Manſlaughter.

*Henry Blagrave* of the Pariſh of *Hanwell*, was Indicted for Killing one *Worthy Watt*, on the 18th of *April* laſt, giving him a Mortal Wound with a Rapier upon the Left part of the Body, of the depth of five Inches, of which he died; The Priſoner and the Deceaſed were at the Red-Lyon at *Brandford*, drinking a Pint of Wine, where they fell out about their Pedegrees to ſuch a heighth,

that

that they fell firſt to Boxing, and afterwards drew upon each other, and Mr. *Blagrave* gave Mr. *Wait* the Wound aforeſaid; but no former Malice was proved to have been between them; he was Acquitted of the Murther, and found Guilty of Manſlaughter only.

*Richard Francis* was Tryed for Beating, Kicking, and Bruiſing one *Will. Verniſh*, upon his Breaſt, Back, Belly and Stomach, in the Pariſh of St. *Anarews Holborn*, upon the 20th of *March*, of which Bruiſes and Beating he died the 25th of *May*; the Deceaſed's Wife evidenced, that there were no Bruiſes appear'd outwardly, nor no Diſcoloration of the Fleſh; The Deceaſed was a Watchman upon *Saffron-Hill*, where the Priſoner and another Man and the Deceaſed were found all three in a Scuffle in the Dark upon the Ground, but were happily parted by a Neighbour who lived near the place, and hearing the Noiſe, went out and found *Francis* uppermoſt, and all three upon the Ground; and the Surgeon declared, That the Deceaſed had no appearance of any hurt about him, and he had always been a weakly infirm Man, and never was heard to complain particularly againſt the Priſoner, and the Surgeons were of opinion that he died of a natural Death: So the Priſoner was Acquitted.

*Elizabeth Naylor* was Tryed for Stealing two Lac'd Coifs, val. 2 *s.* an A-la-mode Hood, one Scarf, a Handkerchief, and other ſmall Goods, on the 12th of *Aug.* from *Fran. Frobiſher*; the Priſoner was his Servant, and the Hood was found upon her Head, but the Proſecutor could not be poſitive that the Goods were his: So ſhe was Diſcharged.

*Elizabeth Phenix* was Tryed for Robbing one Mr. *Watſon* of a Petty coat, value 10 *s.* one A la-mode Hood, one Tammy Petty-coat, a pair of Sleeves, and ſeveral other Goods of value, on the 12th of *Aug.* with 5 *s.* in Money; the Priſoner was Mrs. *Watſon*'s Servant, and a Petty-coat and a Scarf and two Hoods were found upon her; but the Proſecutor was found to be a Woman of very ill Fame, and kept a very wicked Houſe, and the Priſoner ſaid that ſhe lent her the Cloths to wear in her Service: So ſhe was Acquitted.

*William Davis* of *Fulham* was Tryed for Robbing one *Tho. Barret*, on the 21th of *January*, in the Third Year of Their Majeſties Reign, of 19 Deal Boards, value 8 *s.* three pieces of ſilver Lace, and ſome other ſmall Goods. The Priſoner was a Lodger in Mr. *Barret*'s Houſe, and confeſt to have taken three Boards away, but proved that he bought the Boards of *Barret*: So he was diſcharged.

G——C—— was Tryed for Stealing a Silver Tankard, value 6 *l.* from *William Flint*, on the 11th day of *Aug.* laſt; The Priſoner came to Mr. *Flints* Houſe at *Puddle-Dock*, and call'd for a Tankard of Drink, and run away with it, and being ſtopt, he cry'd out, *Don't ſtop me, for you'll make me ſpill the Drink*; the Priſoner own'd it when taken, but deny'd it at the Tryal: He was found Guilty.

*Robert Lucey*, Plead their Majeſties Pardon, which was allowed him: And he preſented Gloves to the Court.

*George Pitts* Eſq; being Convicted laſt Seſſions of Manſlaughter, for Killing Mr. *Hoyle*, Pleaded his Pardon, and preſented the Court with Gloves, as is uſual in all ſuch Caſes,

*Robert Ingram*, for coming out of *France* into *England*, was Diſcharged by Proclamation, there being no Evidence againſt him.

*Daniel Doutey*, for Suſpicion of being a Clipper; was diſcharged.

The **Tryals** being over, the Court gave Sentence as followeth:

## Burnt in the Hand.

*John Ferguſon, Philip Williams, Mich. Hall, John Noble, James Browne, Judith Rolph, Mary Stoakes*, alias *Adams, Anne White, Kath. Worden, Martha Knight, Mary Edwards, Anne Halſted, Anne Herring, E—— J—— John Lewis, John Turner, Rich. Blundervill, Henry Blagrave, Joanna Harris, V—— J—— Anne Roberts, Phenix Wannerton, Kath. Morris, Margaret Ray, Mary Clark*, a former Convict.

## Perſons received Sentence of Death.

*Thomas Noon, Francis Turner, F—J—— Abraham Turner, William Carter, G——C—— Thomas Martin, Suſannah Martin, John Baſdell, John Harris, Jonathan Sheldon, Thomas Drury, George Holmes.*

*Margaret Smith*, alias *Pledwell*, was Reſpited after Judgment; and *William Warrington*, was Reſpited before Judgment.

## To be Whipt, 4.

*Jane Reynolds, Elizabeth Pynes, Mary Holmes*, and *Jane Steward.*

*Suſanna Martin* pleading her Belly, a Jury of Matrons were Impannelled, who gave in their Verdict, that ſhe was Quick with Child.

*John Delamot* alias *Delabowre*, for a Cheat, was ordered to ſtand in the Pillory on *Wedneſday* next, at the *May-pole* in the *Strand*; and on the *Friday* following at *Charing-Croſs*, and to pay Four Nobles as as a Fine, and to find good Sureties for his good Behaviour, and to ſtand Committed till it be performed.

*The next Enſuing Seſſions was Ordered to begin at* Juſtice-Hall *in the* Old-Baily, *on* Wedneſday *the 12th of* October *next, by Seven of the Clock in the Morning.*

God Save KING William and QUEEN Mary.

*Tho. Stamp*, Mayor.

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WHEREAS, *at ſeveral Seſſions of the Peace, ta* Guild-Hall, London, *ſeveral Orders have been made upon ſeveral Court-days laſt paſt*, That *no* Victualler, *or* Ale-Houſe-keeper *whatſoever, either in the City or Suburbs of* London, *ſhall Sell Drink in Silver* Tankards, *and they have not Obeyed the ſame: And there having been ſeveral Perſons found Guilty this Seſſions for Stealing the ſame. It is now ſtrictly Ordered and Commanded by the Right Honourable the Lord Mayor of the City of* London, *That no Perſon keeping any Publick Houſe, do Sell Drink in any Silver* Tankard *or* Tankards, *upon Peril of their Licenſes being taken from them*, &c.

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## *ADVERTISEMENT.*

A Mourning Ring in Memory of your departed Friend: Containing the Houſe of Weeping. The Sick Man's Paſſing-Bell. The Pilgrim's Guide. An Account of thoſe that have died ſuddenly. Obſervations on the Bills of Mortality. The Author's Meditations on his own Sickneſs and Death. To which is added, *A Walk among the Tombs*, or a Diſcourſe of Funeral Monuments; Of the ſeveral Cuſtoms of Burials from *Adam* to this time: Of Epitaphs, and other *Funeral Honours*. The Second Edition, recommended as proper to be given at Funerals. Printed for John Dunton at the Raven in the *Poultrey*.

THeſe are to give Notice to all Perſons for the Benefit of the Publick, that *W. Elmy* Profeſſor of Phyſick, and *Operator* of known Integrity, and above 25 Years Practice, Liveth at the Blew-Ball in *Whale-bone-Court*, at the lower end of *Bartholomew-lane*, by the *Royal-Exchange*, Who moſt ſafely and expeditiouſly Cures *Deafneſs* and *Noiſe* in the Ears, in any of what Age ſoever, (if Curable) and at firſt ſight by inſpection, reſolves the Patient if ſo or not, as moſt Eminent Perſons of Quality in the City can Teſtifie.

He hath likewiſe a Sovereign *Head-Pill*, which Infallibly Cures all Pains in the Head, whether old or newly Contracted; ſpeedily taking away all Swimmings and Giddineſs, preventing the dangerous Conſequence of *Apoplectical Fits*, preſerves the Sight, and takes away all Accidents offending the Eyes; Strengthens the Memory, and diſburthens the Brain of all offenſive Humours, thereby rendring the Underſtanding more clear and Vigorous. Theſe Pills with Directions.

He hath likewiſe an expeditious way, in Curing all Pains in the Teeth without Drawing.

He hath likewiſe a moſt Excellent Gargariſm or Mouth-water, which will make black or yellow Teeth as white as Ivory in few times uſing; and it will certainly Cure the *Scurvey*, and all other Diſeaſes incident to the Mouth, Teeth and Gums, with Directions.

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*LONDON*, Printed by R. Smith for G. Croom, in *Thames-ſtreet*, near *Baynards-Caſtle*. 1692.

575. L. 2
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# A TRUE and FAITHFUL RELATION OF THE Horrid and Barbarous Attempt To ASSASSINATE the Reverend Mr. Samuel Johnſon.

*Publiſhed to prevent falſe Reports.*

UPON *Sunday* Morning, (the 27*th* of *November*, 16[illegible]) Seven Perſons broke into the Houſe of the Reverend Mr. *Samuel Johnſon*, in *Bond-ſtreet* near *Piccadilly*; and five of them with a Lanthorn came into the Room where Mr. *Johnſon* with his Wife were in Bed, and their young Son lying in a Bed by them. Mrs. *Johnſon* hearing them open the Door, cried out to her Husband, (who was faſt aſleep) *My Dear, Thieves, Thieves.* The Villains inſtantly threw open the Curtains, three of them placing themſelves by that ſide of the Bed where Mr. *Johnſon* lay, with drawn Swords, and Clubs in their Hands; and two at the Bed's Feet with Piſtols. Whereupon Mr. *Johnſon* ſtarted up in his Bed, and waved his Arms to keep off Blows, but gave them not one word. One of the three who ſtood by the Bed-ſide, gave him a great blow on the Head with an Oaken-ſtick, with a great Knob on the top, (which ſtick was left behind, and there may be ſeen) that ſtruck him back to the Bed; and then inſtantly clap'd on a black Vizor Mask: Upon which Mrs. *Johnſon* cried out, over and over again, with great earneſtneſs, *How can you ſtrike a ſick Man?* At which they ſtood pauſing over him: Which ſhe obſerving, ſaid, *We have no Money, we have no Money.* One of the Miſcreants then called to Mr. *Johnſon*, ſaying, Hold up your Face. At which Mrs. *Johnſon*, jogging her Husband, ſaid, *My Dear, they would Gag you; pretty be gagg'd:* hoping that then they would leave him and rifle the Houſe.

Some

Some time after, the Rogues ſtill ſtanding over him, Mr. *Johnſon* ſat upright again, and roared out, not being able to ſpeak. Upon which one of the Rogues ſaid, *Piſtol him, kill him; kill him for the Book he wrote:* And then cut him with a Sword over the Eye-brow. And thoſe who ſtood with Piſtols at the Bed's Feet, preſented their Piſtols towards him: Which Mrs. *Johnſon* ſeeing, cried out, *O Chriſt, do not do it; How can you uſe a ſick Man thus?*

After this they ſtood ſometime as amazed, demurring over him; and at length one of them ſaid to the reſt, Draw him under the Bed: then a little after, another ſaid, Dammee, where's his Breeches? And Mrs. *Johnſon* replying, Upon the Feet of the Bed; they not inſtantly finding them, ask'd again for them; and ſhe replying as before, they found them, and carried them off with them, leaving a piece of Plate ſtanding in their view in the Window, and not ranſacking further, nor taking any other thing out of the Houſe, though a Cheſt of Drawers ſtood open by them.

When the bloody Villains went out of the Room, Mrs. *Johnſon* imagining that they were gone up to the Room over their Heads, where her Daughter with a Maid-Servant were in Bed, cried out to Mr. *Johnſon*, My poor Girls, what will become of them? Upon which, he coming to himſelf, got out of Bed to follow them: but Mrs. *Johnſon* begg'd of him not to go, ſaying, You will be ſure to be killed, but can do them no Service; go to the Window, and cry out, Thieves; which he did. And the Watch and others being by that time got to the Houſe, demanded where? And he anſwer'd them, Here in this Houſe: but they ſearching, found that inſtead of going up Stairs, as Mr. *Johnſon* and his Wife imagined, they went down Stairs, and made their Eſcapes.

The two young Women at the firſt hearing the Noiſe in the Houſe, got to their Chamber-Window, and cried out, Thieves; upon which two of the Rogues who were left Sentinels at the Street-door, held up two Blunderbuſſes, ſaying, If you cry out, we will ſhoot you: Upon which they pull'd in their Heads, but continued to cry as loud as they could, Thieves, Thieves: which being heard by the Watch, ſtanding at ſome conſiderable diſtance in *Dover-ſtreet*, they made towards Mr. *Johnſon*'s Houſe, but came too late to ſeize any one of the Aſſaſſines.

A Chirurgion being called, found Mr. *Johnſon* greatly bleeding from two Wounds, one a croſs Wound, to his Skull, on the right ſide of his Head, three Inches long, and an Inch and an half croſs; and the other a Cut with a Sword on his left Eye-brow. The Chirurgion alſo found his Head greatly bruiſed, and declared that he imagined that there might be more danger in the Bruiſes than the Cuts; but through God's Bleſſing there is good hopes of his Recovery.

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*London*, Printed by *J. D.* for *Richard Baldwin*, 1692.

# THE PROCEEDINGS ON THE King and Queens Commissions OF THE

*Peace*, and *Oyer* and *Terminer*, and *Gaol-Delivery* of *Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex* at *Justice-Hall* in the *OLD-BAILY*.

On *Wednesday*, *Thursday*, *Friday*, *Saturday* and *Monday*, being the *7th*, *8th*, *9th*, *10th* and *12th* Day of *December* 1692. *And in the Fourth Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, and *Oyer* and *Terminer* Goal-Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Wednesday*, *Thursday*, *Friday*, *Saturday* and *Monday*, being the *7th*, *8th*, *9th*, *10th* and *12th* Days of *December*, 1692. before the Right Honourable Sir *John Fleet*, Kt Lord Mayor of the City of *London*, and Sir *Salathiel Lovewell*, Kt. Recorder of the said City, with several others of Their Majesties Justices for the City of *London*, and County of *Middlesex*.

*The Jurors were as follows.*

| London Jury. | Middlesex Jury. |
|---|---|
| *Thomas Trentar.* | *Richard Beating.* |
| *William Roome.* | *Edward Fuller.* |
| *Thomas Plaisted.* | *Timothy Thornbury.* |
| *Daniel Richards.* | *Simon Smith.* |
| *Nathanael Adams.* | *Henry Gerrald.* |
| *Joseph Stretton.* | *Henry Russel.* |
| *Thomas Barnes.* | *Henry Jones.* |
| *John Symmons.* | *Edward Wade.* |
| *Thomas Goudge.* | *Thomas Lathwell.* |
| *Richard Haynes.* | *George Poulfrey.* |
| *George Hawson.* | *Andrew Cooke.* |
| *Thomas Fletcher.* | *Edward Weekes.* |

*The Proceedings were these.*

**Philip Davis** was Indicted for Felony and Burglary in breaking the House of *John Reynolds*, on the *15th* of *May* last in *Ironmonger-Lane*; together with one *John White*, not yet taken; The House was broke open on a *Sunday* in the Afternoon, in Sermon-time, whilst Mr. *Reynolds*'s Servants were at Church, and Ransack'd it; and, a Silk Scarf, value 40 *s.* one Gold Ear-Ring, value 40 *s.* one Silver Spoon, value 6 *s.* and 150 *l.* in Money, was taken away; The Evidence against him was, That he was seen hovering about the Door; and one *Granger*, a Criminal, was brought into Court from *Newgate*, who owned that he himself was in the Robbery with the Prisoner, and that there were several others concerned, to the number of about seven; (*viz.*) one *Snelling*, one *Wood*, and one *Paul Groves*, besides the aforesaid *White*, &c. who are not yet taken; and that *Davis*, the Prisoner, had 5 *l.* of the Money to his share; all which the Prisoner strived to invalidate, but to no purpose; so he was found guilty of the Indictment.

**Robert Low**, alias **Atterton**, was tried for Robbing one *Ralph Springall* in the High-way, on the *4th* of *October* last, of a Cloath-Coat, value 10 *s.* The Prisoner met the said *Springall* in *Woodstreet* with a Woman, who was his Mother, who had a Link in her hand, and some other Persons were with the Prisoner, who all drew their Swords, and the Prisoner snatch'd the Coat off *Springall*'s Arm, and run away with it along *Friday-street*, and there was stopt by the Watch; the Prisoner wounded *Springall* in the Trunk of his Body, and another man in the Arm, and was very desperate before he was taken; the Prisoner said the woman thrust the Link in his face, and that he had no intention to rob him, and the Coat was presently found again, so he was acquitted.

**Thomas Perridich** was tried for taking a Hat, value 5 *s.* and a Walking Cane, value 2 *s.* out of St. *Christopher*'s Church in *London*, which was taken upon the Prisoner in the Street presently afterwards; he could not deny it, so he was found guilty of Felony.

**Parnell Brandon**, alias **Crove**, and **Ann Brown**, alias **Riggs**, were both tried for stealing a Silver Tankard, value 4 *l.* from *Charles Pynches* of St *Gregories* Parish, *London*, on the *17th* day of *November*; they came to *Pynche*'s House, and called for Drink; and after they had staid awhile, they took away the Tankard. *Brandon* said, that *Brown* knew nothing of the matter, but she her self took it; but yet they were both found guilty of Felony.

**Mary Clever** was tried for stealing one Lac'd Head-dress, value 5 *s.* 3 yards of Bone-Lace, value 4 *s.* a Muslin Cornet, value 3 *s.* and 20 *s.* in Money, on the *26th* of *November* last; The Prisoner was a Washer-woman, at the House of *James Harper*, from whom she took the things, which was plainly proved upon her; so she was found guilty of Felony to the value of 10 *d.*

**John Neale**, a Soldier of *Islington*, was tried, for that he, together with one *Silver Fitz Gerrald*, *Hugh Bowen*, *Thomas Crawly*, and *Edward Butler*, not taken, did rob *John Lacey*, Esq; in the King's High-way, on *Bartholomew* Day last, taking from him a Gold Watch, value 18 *l.* a pair of Diamond Pendants, value 40 *l.* a Point Crevat, value 10 *l.* a Silk Petticoat, value 3 *l.* a Flanders-Laced Nightrayle, value 10 *l.* a Strip'd Stuff-petticoat, value 20 *s.* a Cloak 20 *s.* The Evidence was Mr. *Lacy* (and others) who deposed, That he and his Wife, and a Maid, were passing home in his Coach to *Tatnam-high Cross*, and a little beyond *Islington*, he was set upon by several High-way men about eight a Clock at night, seven or eight of them, who stopt his Coach, and took out the Horses, and led them away into a Field adjacent, and then took away the aforesaid Goods, and the Gold Watch; amongst which Robbers there was one *Mackguire*, who was transported about two years since, and was taken for the same Fact; but upon his ingenuous Confession of the matter, was at present respited, but a Prisoner. The Evidence were positive against the Prisoner, that he was one of the Thieves; and Mr. *Lacey* swore that he had the more opportunity to observe the Prisoner, because he was the chiefest amongst them, and did personally rob him, and stroke him over the Head, &c. The Prisoner called some Evidence to prove that he was elsewhere when the Robbery was done, but could not; the matter was very plain against him, so he was found guilty of the Robbery.

**John Glendon** of St. Clement-Danes, Gent. was tried for the Murther of *Rupert Kempthorne*, Gent. on the *28th* of *October* last, giving him a mortal wound near the Navel, of the depth of 10 Inches, of which wound he died the next day. The Evidence in general deposed, That the Prisoner and Mr. *Kempthorne* were at the *Ship-Tavern* at *Temple-Bar*, and some difference arose be-

tween them about *Latitude* and *Longitude*; Mr. *Kempthorne* alledging that there was no ſuch word as *Longitude*; after that, further angry words aroſe, and Mr. *Glendon* would give him a 5 *l.* Piece for a bite of his Thumb; but that paſt off for a little time; but immediatly after they drew their Swords, and fought, and the ſaid *Kenthorne* received the wound, *&c.* The Priſoner alledged that Mr. *Kempthorne* was very ſevere upon him, and threatned him, and drew his Sword firſt; but no Witneſs could confirm that: and as for a bite of the Thumb, he ſaid it was a word that he commonly uſed in a jeſting way. There was no premeditated Malice found to have been between them; ſo he was found guilty of Manſlaughter.

**J—— K——**, Gent. was likewiſe tried for killing one *Richard Towers* on the 17*th* of *November* laſt, giving him a mortal wound near the Navel with a Rapier of the depth of 6 Inches, of which he died on the morrow; the deceaſed found the Priſoner in *Angel-Court* with a Woman accidently, which he ſuppoſed to be a lewd Woman; and ſeeing the Priſoner's Shirt hang out, ſaid, What, have you been at it, and han't put up your Shirt, or words to that purpoſe; at which the Priſoner was very angry, and ſwore he would ſend him far enough, *&c.* upon which he immediately drew his Sword, and gave him the wound; the Priſoner ſaid that *Towers* ſtruck him firſt, and drew a Sword upon him; but none could prove it for the Priſoner; yet it being in the dark, and no Witneſs ſaw the matter, only what the dying man ſaid, That he forgave the Priſoner; and it came by his own ſeeking, or to that effect; he was found guilty of Manſlaughter.

**Robert Marſhall**, a blind man, who commonly goes by the Nickname of *Diamond Robin*, was tried for the Murther of one *William Curtis* in *Whitechappel*. He came a begging to Mr. *Curtis*'s door on the 16*th* of *November*, and he telling him, he could not give to every Beggar that came, the Taxes were ſo great; he was ſorry he could not; at which the Beggar was not pleaſed, but called him Pimp, and old Rogue, and took his Begging-ſtaff in both his hands, and ſtruck him a blow upon the Head, near to his left Eye, which made a fracture in the Skull, which the Chyrurgion ſaid was the cauſe of his death; after which the Blind man endeavour'd to make his eſcape down an Alley, but was ſuddenly taken; other Evidence ſaid, that he was not quite blind, but pretended to be ſo; and that he was ſeen to play at Cards oftentimes, and a man of a kind of a Ruſtical temper, very apt to abuſe any one; and that he has took a Pen and Ink, and draw'd the form of a Ship; and was ſeen to ſtep from Boat to Boat, on the laſt Lord Mayor's day, without being guided. The Priſoner could make out nothing to excuſe himſelf, but what was very frivolous: So he was found guilty of Murther.

**Elizabeth Rhoades** was indicted for robbing *Samuel Watkinſon* of divers Earthen Goods, and *China* Ware, of very good value, out of his Shop in the *Strand*; the Priſoner was admitted into Mr. *Watkinſon*'s Houſe to be a Lodger, and the Goods being loſt, and ſhe removing to another Lodging upon it, the ſame was ſearch'd, and ſome of the Goods found upon her on the 7*th* of *November* laſt: She called ſome Evidence, who declared ſhe had been a very careful honeſt Woman in times paſt; and the Proſecutor might be miſtaken in the Ware, for that one China Diſh might be like another. So the Gentlemen of the Jury were pleaſed to acquit her.

**Grace Sympſon** was tried for ſtealing five Flaxen Sheets, value 20 *s.* a Petticoat 20 *s.* a Beaver Hat, value 20 *s.* one Lac'd Commode, value 5 *s.* from *Matthew Wynch*, on the 16*th* of *November* laſt; a Crape Gown, value 2 *s.* a Petticoat, value 2 *s.* from *Elizabeth Chilton*; the Priſoner was ſeen to go out of the Houſe with a Bundle in a Blew Apron; and being purſued, ſhe dropped the Goods in the Street; ſhe denied it ſtiffly, and was very inſolent in urging her Innocency; yet ſhe was known before to have been an Idle ſecret pilfering Houſwife; ſhe was found guilty of Felony.

**Edward Ayers** was tried for marrying two Wives at the Precinct of St. *Katherines*; the firſt *Judith Edmunds*, who he married the 8th of *May*, in the 3*d* year of the Late King *James*. The ſecond he married (namely *Ann Clare*) on the 30*th* of *Auguſt* laſt; the Witneſſes as to the firſt Marriage ſaid, that he was really married to the ſaid *Judith Edmunds*, and liv'd with her, and had one Child by her.

As to the ſecond Marriage, the Witneſs ſwore that he was married to *Clare* at the ſame Precinct; and that they cohabited together, which *Clare* depoſed in Court; and that the former was alive at the ſame time; And it was further offer'd, that the firſt Wife was ſeen but on *Wedneſday* laſt, and could not be now heard of, which gave great ſuſpicion, that the Priſoner might be the occaſion of her abſconding. So he was found guilty of the Felony.

**Jane Braggen** was tried for ſtealing from Robert Tasker 7 *s.* 6 *d.* in Money, on the 19*th* of *Auguſt* laſt, at St. *Giles's in the Fields*. The ſaid *Tasker* ſwore, That as he was coming along St. *James's Park*, he met the Woman with another Woman, a Friend of his, and they went into *Drury-Lane* to drink, and when he came to pay the Reckoning, he miſt his Money; and ſuſpected ſhe had it, becauſe ſhe ſate by him; and they both went away, and left him in the lurch; ſhe was acquitted.

**Mark Hyborn** was tried for ſtealing from his own Father *James Hyborn*, a Gold Ring ſet with a Turkey-Stone and four ſmall Diamonds, value 40 *s.* a Silver Cup, value 30 *s.* There was no Evidence but his Father aboveſaid, who was very unwilling to ſwear at firſt, being ſo nearly related to him; but he at laſt ſwore that his Son took the Goods, but he did not ſee him do it; ſo he was acquitted.

**James Green, Margaret Williams**, and **Elizabeth Oliver**, alias **Harris**, were all three tried for breaking the Houſe of *Thomas Southerland*, on the firſt day of *November* laſt, and taking away one Black Gown, value 3 *l.* one pair of Breeches, value 10 *s.* 3 Cloth Coats, value 4 *l.* 10 *s.* and other Goods; the Priſoners went to the *Green Dragon Tavern* in *Fleetſtreet*, under a pretence to drink Wine, and after a while *Green* went up ſtairs with a Candle in a Dark Lanthorn, and went out at the top of the Houſe over the Houſes, and robbed the ſaid Mr. *Southerland*, and brought the Goods over the Houſes, to the Tavern, and the Women fetch'd the Goods down ſtairs, *&c.* Upon which the Tavern-keeper, and his Servants, having ſuſpicion of them, (becauſe ſome Neighbours had been robb'd before) obſerved their Motions, and ſtopping them, found the Goods upon them, and a Dark Lanthorn, as aforeſaid, beſides Chiſſels and Pick-lock Keys; *Green* ſaid the Goods were given him by a ſtrange man, who he met at *Fleet-Bridge*, who deſir'd him to carry them to the above-ſaid Tavern, and he would come to him, but he never came; this was look'd upon to be a fram'd Story; the Women could ſay little for themſelves, the Evidence was plain; ſo they were all found guilty of Felony and Burglary.

**Thomas Auſtin** of Chriſt Church in London, Taylor, was indicted and tried for poyſoning his VVife *Katherine Auſtin*, on the 13*th* day of *November* laſt, by putting white *Mercury* into a pint of Ale, of which ſhe immediately died. The manner of his doing of it was thus; That the Priſoner did not live with his VVife at the time, but appointed her to meet him to dine together, which ſhe did; but when they came to the Houſe, being the *King's-Arms* in St. *Martins Legrand*, he would needs give her a Hot pot, which was Brandy, Ale, Eggs and Sugar, mix'd together; but it being not warm enough, he deſired his VVife to go down Stairs, and warm half of it for him, which ſhe did, and in the mean time he might put the *Mercury* into the remaining half which was left alone, which ſhe drank, when ſhe came up Stairs again; upon which ſhe immediatly fell very ſick, and vomited, and died within three or four days afterwards; ſhe taxed her Husband with it preſently, and told him, that he had poyſoned her; upon which he replied, That he knew nothing of it; but withal, would not drink any of it himſelf. The Chyrurgion, who diſſected her, gave his Opinion, and ſaid, That the Liver was diſcoloured, and the Stomach expoliated, and very black in four or five places; which diſcolouration muſt be effected by ſome Corroſive Matter thrown into the Stomach, and muſt proceed from Poyſon. Other VVitneſſes declared, That the Priſoner was reported to have had more affection for another VVoman, than he had for the Deceaſed *Katharine*, but that was not made appear. The Priſoner ſaid his VVife was a very ill woman, and had an Evil Tongue, and ſought his Ruine, and would not live with him, therefore ſhe had out of ſpight brought this upon him; to prove which, he called ſome VVitneſſes, who confirmed what he ſaid, and that ſhe was a very debauched woman, given much to drinking, and had been troubled with the Foul Diſeaſe, and was oftentimes ſickly; there was no one that ſee the Poyſon put into the Ale; ſo upon the whole the Gentlemen of the Jury acquitted the Priſoner.

**James Johnſon** was tried for drawing a Dray-Wheel over the Head of *Mary Burton*, an Infant, aged about 8 Years, on the 29th of *October* laſt, of which ſhe died. The Witneſſes ſwore, that the Dray was coming along *Shoe-Lane*, and went over the Head of the Child, and the Child was taken up bleeding, and died a little after; but the Evidence did not know the Priſoner to be the ſame Perſon that drove the Dray. The Priſoner ſaid, he did not ſee the Child, and was very ſorry for the Misfortune. He was acquitted.

**Elizabeth Young**, was tried for Felony and Burglary, in breaking the Houſe of *John Silk*, in the *Minories*, on the 29th of *July* laſt, and taking away 17 Piſtols, value 25 *l.* The Shop window

Window was broke open about two of the Clock in the Morning; and the Piſtols were found afterwards ſold to one in *Grays-Inn-Lane*: The Priſoner was heard to own (when taken) that ſhe had the Piſtols in *Chartes-houſe-lane*; and that ſhe found them there, left by ſome Thieves who were purſued upon Suſpicion, and fled, and left them behind them, who were laſt Seſſions ſome of them Executed (*viz.*) One *Richard Ellis*, &c. She was found guilty, value 10 *d.*

**Anne Jenkins**, and **Elizabeth Green**, were both tried for Shop-lifting, in ſtealing 18 Yards of Muſlin, value 52 *s.* the Goods of *William Peat*. They came to the Shop to cheapen ſome Goods, and one of them put the piece of Muſlin under her Coats, which ſhe was ſeen to do, by the Maid of the Houſe, and being ſtopt, it ſo appear'd. *Jenkins* the Priſoner went by the Name of *Aſkew* laſt Seſſions, and was burnt in the Hand for Felony. They both denied the Fact; yet were found guilty of Felony.

**John Earle**, was tried for ſtealing from *Richard Lucas*, of St. *Chriſtopher*'s Pariſh, *London*, a Frize Coat, value 10 *s.* a Neck-cloth 18 *d.* a pair of Gloves, value 6 *d.* The Priſoner came to drink at *Lucas*'s Houſe, and the Coat hanging over the Door, he took it, and ran away with it; and the ſame day he came by the Door again, and was taken; he denied it, but that did not ſerve, he was found guilty to the value of 10 *d.*

**Richard Star**, and **Elizabeth Star** his Wife, alias **Elizabeth Osborne**, were both indicted for breaking the Houſe of one *Abraham Walker*, without *Biſhops-gate*, on the 13th of *September* laſt, and taking away 120 Ells of broad Alamode Silk, value 133 *l.* 20 Ells of Sarſnet, value 15 *l.* 14 Yards of Lute String, value 30 *s.* 3 Spotted Hoods, value 45 *s.* 18 Lac'd Tippets, value 7 *l.* 14 *s.* 10 White Hoods, value 50 *s.* 16 other Hoods, value 3 *l.* 40 Yards of Cloth, value 10 *l.* 4 Handkerchiefs, value 10 *s.* 16 Muſlin Cornets, 120 Yards of other Lace, and other Goods of a conſideaable value, *&c.* The Evidence ſwore that there was a hole bor'd in the Door, big enough to put a man's Hand into; and by that they opened the Door, and took away the Goods, which were ſome of them found upon them in their Lodging in *Pye-corner*, where they were found in Bed together, with two or three Piſtols loaded lying in the Room. They were known in Court to be old Offenders; they were found guilty of the Felony, but acquitted of the Burglary.

**Patrick Gilbert**, was tried for ſtealing from *John Hardred*, on the 4th of *November* laſt, out of the Pariſh of St. *Olaves Silver-ſtreet*, one Livery Gown, value 50 *s.* 1 Hood, 10 *s.* and a Bag with it, value 1 *d.* The Gown was loſt from Mr. *Smith*, Gown-keeper of *Barber-chyrurgeon*'s Hall, and found in the Lodging of the Priſoner, in *Leiceſter-ſtreet* in St. *Andrew*'s Pariſh; and he acknowledged to have taken the Gown away, before the Juſtice: The Priſoner had little to ſay, ſo he was found guilty of Felony to the value of 10 *d.*

**Daniel Jones** of *White-chappel*, was tried for breaking the Houſe of one *John Tewder*, in *Goodmanſfields*, on the third of *March* laſt, and taking away 2 Silver Tankards, value 7 *l.* 10 *s.* 1 Silver Bowl, value 3 *l.* a Silver Salt, value 40 *s.* ſeveral Spoons, value 4 *l.* 10 *s.* a Ladle, value 40 *s.* 2 Gold Watches, value 5 *l.* a Gold Ring, value 20 *s.* 240 pieces of broad Gold, value 282 *l.* 180 Guineas, value 193 *l.* 10 *s.* and 80 *l.* in Money, *&c.* Mr. *Tewder* ſwore that his Houſe was broke open about the hour of three in the Morning, and ſeveral Perſons came to his Bed-ſide, and ſwore moſt deſperate Oaths at him, telling him they wanted Money, and Money they muſt have; and the Priſoner in particular, ſtood by his Bed-ſide, whileſt the others broke open the Doors, and rifled the Houſe; but ſome of Mr. *Tewder*'s Family being in the Houſe, hearing a Noiſe, cried out Thieves; they made their eſcape, but left a Hatchet and a Lanthorn behind them. On the ſame day the Priſoner was taken in *Goodmanſfields*, being dogg'd from place to place; and when they came to lay hands on him, he fell a quaking and trembling, and was much ſurprized; but after that he was carried before the Lord Mayor, and whileſt he was waiting, and the Conſtable talking to another man, he got away, and run for it, but ſince that did ſurrender himſelf. There were other Evidence that ſaid he went formerly by the name of *Steel*, and was committed about four Years ago to *Newgate* for Suſpicion of Felony, and had all ſorts of Pick-lock-keys about him, and a Betty to wrinch open the Doors; he was then bail'd out of *Newgate*, and he and his Bail run away, and never appeared afterwards. The Priſoner flatly denied the Fact, and called ſeveral Witneſſes, endeavouring by them to invalidate and take off the credit of Mr. *Tewder*'s Proſecution; alledging, that Mr. *Tewder* had a Spite againſt him, and would have given them Money to aſſiſt him in the Proſecuting of the Priſoner; but ſeveral of the Witneſſes for the Priſoner varied in their Depoſitions, which made the face of the matter look very ſuſpicious: And Mr. *Tewder* had Perſons of honourable Quality in Court, who juſtified his Reputation; and that he was a man that ſcorn'd to deal unfair with any Perſon. The Trial was very long, and diſtinctly carried on both ſides: And the Gentlemen of the Jury were ſo well ſatisfied that they found him guilty, without going from their Seats.

**John Stafford**, **Amhouſe Holland**, and **Eliana Smewin**, were all three indicted for a Robbery upon the High-way, committed upon the Body of *John Smith* and others, in the Pariſh of *South-Mims*, in the County of *Middleſex*, on the 10th of *November* laſt. They met him upon the Road in *Mims Waſh*, and took from him 19 *l.* in Money, and 100 Yards of Bone-Lace value 31 *l.* which *Smith* ſwore he was robbed of, but could not ſwear to the Priſoners; only he ſaid four Men robbed him; but another Evidence ſwore that he found the Lace in a Box in *Stafford*'s Lodgings at the *Black Horſe* in *Queen-ſtreet*, which *Smith* owned to be his, ſwearing poſitively to the Marks which was ſet on with his own hand: It was farther depoſed, that *Stafford* fled when he was firſt ſearcht after, and endeavoured to eſcape; but was at laſt taken in a Garret in *Queen-ſtreet*, and that one *George Kemble*, and one *Wilder* were concerned with him, who are not yet taken; and when *Stafford* and *Wilder* went out of Town they were poor, but when they returned again they got all new Cloaths preſently, and were full of Money. Another Evidence ſwore, that *Holland* was in the Robbery, and he knew him, for that his Teeth were out before, and had Pock-holes in his Face; and when he came to ſee him in *Newgate*, he knew him very well again. Another Witneſs ſwore, that ſeven Men came to the Sign of the *White Hart* in *South Mims*, and called for a Flagon of Beer, and the Carriers and Mr. *Smith* coming by, they went no further from *London*, but returned back with the Carriers; and about half a Mile out of the Town, they commited the Robbery, and kill'd ſome of the Horſes, and took 700 *l.* from a Carrier out of 1500 *l.* and *Smewin* was one, and *Witney* the Captain of them all was in the company, who kill'd all the Horſes to the number of 20. but is not as yet taken; and that they had two Led Horſes: The Evidence was very clear againſt *Holland* and *Smewin*; they all called ſome Witneſſes, *Holland* called a *Chyrurgeon*, who ſaid, that he was wont to go to Adminiſter Phyſick to him, and to dreſs a Swelling he had in his Breaſt, which he did from the ſecond of *November* to the 17th; but he might be miſtaken as to the time. *Stafford*'s Witneſſes ſpoke very favourably of him, ſaying, that he had a Horſe kept in *Queen-ſtreet*, and that he had a Brother in *Worceſterſhire* where he was wont to reſide more than in *London*, and behaved himſelf in a very civil manner there, and that another man Lodged in the ſame Room with him, that had a Box as well as he, ſo the Lace might be there. *Smewin* had little to ſay, the Evidence being ſo poſitive againſt him, that he was one of the Seven, and rid upon a bright Bay Horſe, leſs than the reſt. Then the *Court* Summ'd up the Evidence exactly to the Jury, directing them to enquire ſeriouſly into the Matter, and to bring in a Verdict according as in their conſciences they found them deſerving: and not to forget how pernicious ſuch Offenders were not only to the Right and Property of any particular Perſon, ſo robb'd by them, but to the Kingdom in general. The Trial was very long, and the Jury took a conſiderable time before they agreed, and at laſt, not being fully ſatisfied that it was found in Mr. *Stafford*'s Box, they acquitted him; but *Holland* and *Smewin* were found guilty of the Robbery; upon which *Holland* replied, before he went from the Bar, that whenhe was dead, the Robbery would be diſcover'd more fully, and who were concern'd in it; endeavouring to inſinuate into the Credit of the *Court*, ſo far as to make them have a good Opinion of him; that although he had been an ill Man formerly, yet he was innocent of this robbery.

**Thomas Harding**, alias **Hardap**, of St. Pancraſs's Pariſh, was tried for robbing the Houſe of the Right Honourable *Denzell* Lord *Hollis* at *Highgate*, carrying away 15 yards of Silk, value 50 *s.* a Mohair Cuſhion, 6 Silver Forks, 8 Spoons, one Siver Tankard, 4 Salts, one Porringer, a Suit of Curtains and Vallens, an old Camblet Cloke, *&c.* The Evidence was poſitive that the Priſoner was one of the Thieves, there being three in number; and that he was running away, and was ſtopt in the Fields, and the Goods were dropt; he had little to ſay; ſo he was found guilty of Felony.

**Richard Larrymore**, **Abraham Turner**, two Boys, and **Elizabeth Hutchins**, were all tried for ſtealing three Gold Rings, value 25 *s.* another Gold Ring ſet with a Diamond Stone, value 45 *s.* the Goods of Sir *Roger Twiſden* of the Pariſh of *Aldgate*, on the 30th day of *October* laſt; The woman brought the

the Rings to ſell at a Goldſmiths in *Eaſt-Smithfield*, where ſhe was ſtopt, with *Larrymore*, and the other Boy; *Turner* was taken in *Hutchins's* Houſe; it was ſworn that the woman was a perſon of ill fame; but however, there was none could ſay the Rings were Mr. *Twiſden's*; ſo they were all three acquitted.

**Thomas Allen** was arraigned for ſtealing a Silver Tankard from *Hugh Daniel*, on the 8*th* of *November* laſt, in St. *Gregory's* Pariſh *London*, value 6 *l.* to which he pleaded guilty; and to all others within benefit of the Clergy.

**Rowland Cadman**, and **Mary Cadman** his Wife, were indicted for ſtealing from *Dominico Burley* of St. *Giles's in the Fields*, on the 8*th* of *November* laſt, one Lac'd Crevat, value 10 *s.* a Guinea, one half Guinea, and 3 *l.* 10 *s.* 6 *d.* in Money; the VVitneſs was *Burly* himſelf, *&c.* who ſaid that the woman enticed him to her Lodging in *Ragged-Staff Court*, and there he found the ſaid *Rowland*; and as ſoon as he was in the Room, ſhe made faſt the Door; and after her Husband came in, and ſeized him, and laid him upon the Bed, and almoſt ſtrangled him, and then pickt the Money out of his Pocket; but on the other hand, it appear'd that *Burley* did, or would have lain with the woman, and offer'd violence to her in that kind; ſo they were both acquitted.

**Ann Ray**, Widow, was arraigned for robbing one *William James* in St. *Bridget's* Pariſh, on the 18*th* of *September* laſt, of two Silver Tankards, value 19 *l.* one Cup, value 4 *l.* 6 Silver Spoons, value 3 *l.* 10 *s.* another little Silver Cup, value 7 *s.* 6 *d.* to which Indictment ſhe pleaded guilty.

**Thomas Allen** was arraigned upon another Indictment, for robbing *Edward Trotman*, Eſq; on the 23*d* of *November*, of a Seat of a Coach, value 30 *s.* to which he pleaded guilty.

**Elizabeth Nott**, alias **Launder**, was tried for ſtealing a Silver Tankard from *Symon Brooks*, on the 10*th* of *November* laſt, in the Pariſh of St. *Bennet Fink*; the Tankard was valued at 5 *l.* the Priſoner and a man, and a woman came to drink at *Brooks's* Houſe, and after about a quarter of an hour's time, they went away with the Tankard; She was found guilty.

**Sarah Latham** was indicted for being Acceſſary to **Ann Ducker** in robbing one James Fodey, in the Pariſh of St. *Andrew Undershaft*, of 14 Pieces of Gold, and 28 *l.* in Money; which Indictment *Ducker* confeſt, as may be ſeen in this Account; but no Evidence could prove her concern'd. She was acquitted.

**John Palmer** was tried for ſtealing from Rich. Blackham, of the Pariſh of St. *Allhallows Barkin*, 60 yards of Broad Cloth, value 15 *l.* There was a little remnant, and a Liſt found at a Dyers, where the Priſoner carried ſome Cloth to be dy'd; but the Proſecutor could not ſwear it was Mr. *Blackham's* Remnant; ſo he was acquitted.

**Jane Glover** was arraigned for ſtealing from Rob. Hatton of St. *Martin's Ludgate*, four 20 *s.* Pieces of Gold, and 4 *s.* in Money, which ſhe privily took from him; but no Evidence coming againſt her, ſhe was acquitted.

**Thomas Wale** of Fullham, was tried for breaking the Houſe of *Robert Lympany* in the ſame Town, on the 7*th* of *October* 1688. and taking away 2 *s.* Mr. *Lympany's* Evidence ſaid, that the Priſoner was ſeen to jump out at the window of Mr. *Lympany's* Shop, and the Money was in a Box; which was miſt in the morning, and the Doors were faſt ſhut when the Family went to bed; it was ſuppoſed that the Priſoner was diſturbed, or elſe he might have taken other Goods that were in the Shop; and the VVitneſs could ſwear only to his Voice; and it was at midnight that he ſaid he ſaw him come out of the window; ſo he could not be found guilty of the Burglary, and was diſcharged of the Felony by vertue of Their Majeſties moſt Gracious Pardon.

**Edward Prick** and **John Bunworth**, were both tried for ſtealing a VVeather Sheep, value 15 *s.* from *Richard Criſlow* of *Iſlington*, on the 3 of *November* laſt; The Evidence ſwore that the Sheep was found upon them; but being ſtopt, they threw it into a Ditch; the Priſoner *Prick* ſaid that *Bunworth* ſtumbled at the Sheep in the Field, and they carried it to *Iſlington*, and went and drank a Flagon of Beer at a Houſe of Good-fellowſhip; but this Story availing them nothing, they were both found guilty of Felony.

**Robert Wright** was indicted upon two Indictments, one for robbing *Nicholas Vaughan* in the King's High-way, on the 6*th* of *November*; the ſecond for robbing *John Clayton* in the ſame manner, on the 5*th* day of *December* inſtant: the Priſoner met *Vaughan* between *High-gate* and *Iſlington*, and took from him a Caſe and Peruke, and 7 *s.* 6 *d.* in Money; *Clayton* ſaid that he robbed him preſently after of 5 *s.* and meeting accidentally with *Vaughan*, he made his Caſe known to him, and ſu'd him, and took him near *Pancras* Church; the Witneſſes were very poſitive, and the Priſoner had nothing to ſay, but that he robb'd them firſt, and they robb'd him afterwards; ſo he was found guilty of the Robbery upon both Indictments.

**Elizabeth Pepper** of Chiſwick was indicted for breaking the Houſe of *Suſannah Adſhead* in the day-time, and taking away two Pieces of Gold, value 27 *s.* 10 Guineas, value 10 *l.* 15 *s.* 7 half Guineas, and 2 *French* Piſtoles, on the 31*ſt* of *October* laſt, Mrs. *Adſhead* ſaid ſhe loſt to the value of 16 *l.* and upwards, and the Lock was took off, and hung upon the Hatch, but ſhe could not ſay the Door was ſhut; the Priſoner confeſt the Fact, when taken, and the Priſoner was born next door to her, and had ſpent all the Money before ſhe was taken, except 8 *s.* 4 *d.* half-penny, which was within a Fortnight after; the Priſoner ſaid the Trunk was open, and ſeeing the Money lie there, ſhe took it; ſhe was found guilty.

**Frances Smith** and **Elizabeth Baniſter**, alias **Thomas**, were both tried for robbing one *William Lawrenſon* of St. *Giles's* without *Cripplegate* (together with one *Henry Robinſon*, not yet taken) of a Silver Cup, value 30 *s.* 3 Gold Rings, value 40 *s.* 2 Spoons, value 17 *s.* one Guinea, and 15 *s.* in Money; there was no Evidence but Mrs. *Lawrenſon*, and ſhe could not charge them poſitively; ſo they were both acquitted.

**Elizabeth Morgan**, alias **Jones**, and **Sarah Chandler**, were tried, for that they, together with *Robert Smith*, not taken, did ſteal from *Faith Butler*, and others, a Quilted Petticoat, value 30 *s.* an Alamode Scarf, a Muff, 7 Ounces of Sowing Silk, three quarters of a yard of Callicoe, and other ſmall Goods, which the Priſoners confeſt before Juſtice *Marſhall*; and the Goods they had pawned at one *Reads* a Broker in St *Giles's*; the Houſe was broken open in the day-time, whilſt the Family was abroad; they were both found guilty.

**Elizabeth Morgan**, alias **Jones**, was a ſecond time tried ſingly for ſtealing a Shirt, valued 4 *s.* from *George Young* of *Covent Garden*, which ſhe confeſt, when taken; and had pawn'd it at one *Hill's* a Broker; ſhe was found guilty.

**Mary Bampfold** was indicted for breaking the Houſes of one *Robert Metcalfe*, one *Senſus Parſons*, and one *Elizabeth Gamball*, of *Stepney* Pariſh, on the 3*d* of *October* laſt: *Metcalfe's* Lock was ſhot back, and a Kettle was found in the Priſoner's Houſe, which *Metcalfe* owned; but no poſitive proof was found that ſhe took the Kettle, ſo ſhe was was acquitted of the firſt Indictment. *Gamball* ſwore that ſhe found a Rug, a Blanket, and a Pillow of hers in the Priſoner's Houſe, and other Goods which ſhe had loſt, and the Priſoner's Key would unlock the ſaid *Gamball's* Door as well as her own; ſhe was found guilty of Felony only. *Parſons* ſaid the Door was ſhut on the over-night, and in the morning it was open, and the Lock broke, and the Goods taken away, which were 24 pair of Stokins, and 42 Skeins of Yarn and Worſted; the Stockins were found in the Priſoner's Apron by the Watch as ſhe was going home with them; She was found guilty of Felony and Burglary.

**Elinor Jones**, of St. Pancras Pariſh was tried, for that ſhe, with one *John Gilly*, not yet taken, did Rob *Elizabeth Hackaridge* in the High-way, on the 8*th* of *October* laſt, and took from her (at the end of *Grays-Inn-Lane* in the Fields) one Stuff Mantua Gown, value 16 *s.* a Petticoat, value 7 *s.* and other ſmall Goods; The ſaid *Hackeridge* was coming to *London*, and the Priſoner and a Soldier met her with the Goods under her Arm, and under a pretence of helping her to a Lodging, the Soldier ran away with the Goods; and after ſhe found the Priſoner in the Street, and took her with a Shift of *Hackeridges* upon her back; The Priſoner denied it. She was found guilty of the Robbery.

**Margaret Scot**, was indicted for ſtealing ſeveral Goods from *Henry Gore* Eſq; on the firſt of *December*, a Morning Gown, value 5 *l.* a Coat, value 10 *l.* a Doe-skin Waſtecoat, value 8 *l.* *&c.* but the Evidence not being poſitive, ſhe was acquitted.

**William Gillet** a Boy, who went by the name of Nozy, was Tried, for that he together with one *Walter Stephens*, not yet taken, did ſteal from *Henry Gore* Eſq; on *Monday* was Sevennight laſt, 1 Silk Morning Gown, value 5 *l.* 1 Coat with Silver Buttons, value 10 *l.* a Waſtecoat 8 *l.* a pair of Breeches, 40 *s.* 1 pair of Gloves 50 *s.* *&c.* The Goods were brought out of the Country, and a Porter ſet it upon a Shop Window, whileſt he went to deliver a Letter in the Shop, and when he came to look for the Trunk it was gone; but no Evidence could charge the Boy, ſo he was acquitted.

**Elizabeth Cary** the Elder, was indicted for Robbing one Capt. *Conley* of St. *Dunſtans* in the *Eaſt*, on the 12th day of *November* laſt, of 2 Silver Tankards, value 14 *l.* 1 Porringer, value 50 *s.* 1 Pot 50 *s.* 6 Spoons, value 3 *l.* 7 Silver Forks 3 *l.* 10 *s.* a Cup 0 *s.* 1 pair of Holland Sleeves 10 *s.* and other Goods of

good

good value. The Prisoner's Daughter *Elizabeth Cory* the Younger, was arraigned with her, and confest the Indictment: And Mr. *Conyers* declared, that her Daughter was his Servant, and the Prisoner was seen at Mr. *Conyer's* Door the time the Robbery was done, and a Fork and Spoon was found about the Prisoner, and it appear'd, that she was an accessary to her Daughter in the Robbery, and there were Clipping Sheers and Scales found in their Custody, which gave suspicion that she had been an ill Woman before: so she was found guilty of Felony.

**Henry Catling**, of St. *Giles Cripplegate*, was Tried for making an Assault upon one *James Wilborne*, giving him a mortal Bruise upon the left side of the Head of which he died in a few days after. The Evidence was, that he struck him over the Head with a Broom-stick; the Deceased was a going down *Wattle-cross Street*, being the 5th of *November* was 12 Months last, some Boys being in the *Street* Hallowing, shoot the Deceased, and would make him Hallow; but he refusing the Prisoner knock'd him down with the Broomstick, without any provocation given by the Deceased, and broke the Skull, which was after trepan'd by the *Chyrurgeons*, and laid open by a circular Incision, yet could not save his Life; but was really the occasion of his Death. The Prisoner had several Neighbours, who said he had always carried himself honestly and fairly amongst them, and never was given to quarrelling; he was found guilty of Manslaughter.

**George Wood** of St. *Margaret's New Fish-street*, was Tried for breaking into the House of Mr. *White* there, on the 17th day of *November* last; the Goods lost were, 1 Gold Chain, value 6 *l.* 1 Pearl Necklace, value 12 *l.* 2 Gold Rings, 2 Silver Watches, value 8 *l.* 1 Porringer, value 40 *s.* 29 Silver Spoons, 1 Silver Tankard, value 8 *l.* a Silver Ladle, and abundance of more plate, besides 113 Guineas, 42 pieces of Broad Gold, and other Gold, besides 100 *l.* in Silver, *&c.* The Prisoner was catch'd in the House with some of the Goods about him, and the Locks were broken, whilest the Family were at Church; and several Pick-lock-keys and a Betty were produced in Court that were found in the House. The Prisoner could say nothing for himself, so he was found guilty of Felony, but not of Burglary, it being in the day-time.

**Hillary Tulley** was Tried upon two Indictments, one for stealing a Sword with a Handle inlaid with Gold, value 8 *l.* from *Hillary Philboy*: And another for stealing several pieces of Gold from *Matthew Philboy*, of St. *Martins in the Fields*, in the 10th of *June* last. It was declared that he had pawned Sword at a Goldsmiths; but no such Sword as is in the Indictment, only a Silver Hilted one; and it was not sworn positively that he stole the Sword, and as to the Gold there was no Evidence against him, by reason one was very ill at the same time. The Trial was long, and very distinctly handled, and the Gentlemen of the Jury were directed to be careful in their Verdict, as to matter of Fact on both sides, and the Jury having well considered of it; finding no full proof against the Prisoner sufficient enough to find him guilty; he was acquitted of the Charge laid against him, in respect to both parts of the Indictment.

**Phillip Street**, and **Sarah Dering**, were both indicted for stealing a pair of Hempen Sheets, on the 16th of *November* last, and several other Goods from *Margaret Jacket* of *Harrow on the Hill*; the Cloaths stood in the Yard in a Tub, and a Sheet was found in *Street's* Yard, which *Jacket* said was hers; but the Prisoners brought good Evidence for their Reputation that he was a sufficient Man, and had 14 *l.* a year free; so they were both acquitted.

**Edward Sympson**, alias **Dempsey**, and **Grace Sympson**, were both Tried for stealing a black Coat, value 3 *l.* a Waistcoat, value 40 *s.* a Silk Handkerchief, a pair of Gloves, and a Snuff-box, *&c.* from *Daniel Smith*, on the 18th day of *October* last. The Evidence was, that some of the Cloaths were found upon the Woman, and they both confest the Robbery before the Justice, and they both had been Branded before, so they were found guilty of Felony.

**John Wakeman**, of St. *James*, *Westminster*, was Tried for Felony and high Treason upon two Indictments, One for Counterfeiting and Coyning the Current Money of *England*: The Second for Clipping the same, on the 13th of *October* last: There were two Women only Evidence as to the Fact, who were very unwilling to declare their knowledge of the Prisoner; although they were suspected to be concerned with him in the false Money: they said that they did not know the Prisoner at the Proof of the Second Indictment, there were Sheers and other Clipping Conveniencies produced in Court, besides some Clipt Money and Clippings, *&c.* which were found in the Prisoner's House, but nothing was found about him; and he shut the Door against the Constable at first, and dot[illegible] it, but when the[illegible] him, he said he knew nothing [illegible] it, so he did upon the [illegible] and as for his shutting the Door, he said he was afraid of Bailiffs: withal he said, he did not know what his Wife did, for that he was much abroad about publick Business, his Wife is not yet found, he was discharged of both Indictments.

**George Gawhon**, and **Pierce Jones**, were Tried for stealing from *Elizabeth Marshall* in *Drury Lane*, on the 2[illegible] day of *November*, a Gold Ring, value [illegible] and a Thimble and 6 *d.* but the Evidence not being positive against them, they were acquitted.

**John Cole**, for stealing the Coach-Seat of *John Coney* Esq worth 40 *s.* The Prisoner was stopt in the *Street* in the dark with the Coach-Seat in his custody, which he was seen to take out of the Coach, in *Gravell Street*, and was knock'd down at *Bevis-marks* End: The Prisoner said he took it up in the *Street*, but did not prove it, he was found guilty of Felony.

**Thomas Overton**, was Tried for Robbing *Peter Clark*, without Cripplegate, on the 7th of *October* last, of an Ivory handle Cane, value 6 *s.* a Napkin, a Knife and Fork: The Prisoner was a Lodger in *Clark's* House, and whilst he was abroad, he took away the Goods; the Knife was found in his Pocket, and the Cane was pawn'd in *Bunhill-fields*. The Prisoner said the Prosecutor gave him leave to make use of the Cane; and he being a drinking at an Ale house, pawn'd the Cane to pay his Reckoning; he was acquitted.

**Lawrence Fell** a High-Dutchman, was Tried for breaking the House of *Edward Bullock* in the night time, and taking away 48 Pound weight of Beef, which he confest, and did leave in drink, and knew not what he did: and *Bullock* swore that his Window was broke open, but was shut on the overnight: but he might be mistaken, so he was found guilty to the value of 10 *d.*

**Anne Ducker**, alias **Duckworth**, was Arraigned upon an Indictment of Felony, for stealing 14 Guineas and 28 *s.* in Money from *James Tidey*, of the Parish of St. *Andrew Undershaft*, to which she pleaded guilty.

**Thomas Smith**, was Indicted for stealing from *Humphrey Watts* of *White-chappel*, on the 4th of *November* last, 4 Hempen Sacks, value 14 *s.* 2 Pillowbiers 18 *d.* a Peck of Wheat Flour; The Prisoner was a Journey man to *Humphrey Watts*, and the Goods were lost, and he was seen to carry some Flour home to his House, and the Sacks were found under the Prisoner's bed: the Prisoner said that he carried Oats out in the Sacks, and his Wife put them under the Bed out of the way and forgot to carry them home; and the Pillowbeer *Watts* could not swear to, and the Flour he had liberty to take, so he was acquitted.

**George Seager**, was Tried for stealing a Cloth Coat out of the House of *Edward Stapler* of *Stepney*, on the 20th of *November* last, he was seen to take the Coat away, and being stopt, he dropt the Coat and got away, and being pursued, was quickly taken. The Prisoner denied it; he was found guilty.

**Charles Wilson** was Indicted for breaking the House of *Tries Draper* of *Stepney*, between the Hours of Eight and Ten in the Night, on the 26th of *October* last; the Prisoner had been Servant to Mr. *Draper* about a Twelve-month ago, and was found in Mr. *Draper's* Chamber, upon the Bed, and a Sword lying in the Room by him, and a gilt Pistole, which was found about him, which Mr. *Draper* owned to be his. Window was broke open, and a Pane of Glass out. Prisoner said he was very much in drink, which was [illegible] by the King's Evidence; he was acquitted.

**Jane Cook**, wife of [illegible] Cook, of St. Giles's, she was indicted and tried for High Treason in clipping the Money of *England*, on the 22d day of *November* last. Evidence declared upon Oath, That *Cook* was search'd, Working Room was found some Clippings, and other Implements fit for Clipping, *&c.* which were *Cooks*, and shewed to the Gentlemen of the Jury: [illegible] fole was not to be found, but had happily left behind him (he being gone abroad) but it [illegible] the Prisoner was concern'd in the thing; but [illegible] she was acquitted.

**Edward Butt** a Soldier, Tried for Felony [illegible] one *Charles Carter* of St. *Giles's in the Fields*, on the 18th last, of a black Strip'd Petticoat, adorn'd with [illegible] value 34 *s.* another Petticoat value 36 *s.* a [illegible] a black Moe-hair Petticoat, and divers other Goods [illegible]. The Prisoner was a Lodger in the house [illegible] other Lodgers besides him; and none could charge [illegible] particularly; he was acquitted.

**John Wickes** was Tried for [illegible]

King's High-way, of a Gold Ring, value 22 s. 6 d. and [illegible] Monay. *Thorne* was Robb'd in *Newgate-Lane*, near *Bush-Common*, on *Friday* was Fortnight last, being the 25th of *November*. There was one *William Sayles* taken for the same Fact, who is now in St. *Albans* Gaol. The Evidence did believe the Prisoner to be one of the two, but could not be very positive; and he called several Witnesses who declared, That he was at Supper at *Poplar* at the time when the Robbery was done, so he was acquitted.

**Anne Wythe**, was Tried for Robbing John Hanchman of St *Giles* without *Cripplegate*, on the 30th of *November*, of 3 Gold Rings, value 18 s. 6 pair of Diaper Child-bed Clouts, value 10 s. and a Pillowbear. The Prisoner came to visit Mrs. *Hanchman*, and being left in the House by her self, she took the Goods, which was plainly swore. She confest it when taken; she was found guilty of Felony.

**Elizabeth Gibson** pleaded guilty to an Indictment brought against her by *John Stretton* of *White-chappel*, for stealing a Holland Sheet, and a piece of Muslin Lace, *&c.*

One **Samuel Hendrick**, of St. Martins in the Fields was Tried for a Misdemeanor, for going into *France*, and there holding correspondence with the Enemies of our present King and Queen, and returning again into *England* contrary to the Act of Parliament in that case made and provided. The Prisoner was heard to say, that the *French* King did not want men; for he could raise 17000 men, if he raised but one in a Parish. The Prisoner brought witness that he came over within the benefit of the said Act; so he was acquitted.

**Alexander Lundsden**, for Writing and Composing a certain False, Scandalous and Seditious Libel against the King and Queen, and in favour of the late King *James*, gave Bail to answer next Sessions.

**Hugh Bisley**, for Composing and Printing a Mock Speech, by way of a Ridicule to our present King *William*'s last Speech to the Parliament at *Westminster*, gave Sureties to appear next Sessions.

One **Thomas Wyllan**, was indicted for Writing and Printing a Book in vindication of *Henry Harison* Gent. who was Lately Executed for the Murther of Dr. *Andrew Clench*; in which Book are several scandalous Expressions against the Proceedings of the Court at his Trial; he pleaded guilty to the Indictment, and was fin'd 100 Marks for the Offence.

**William Canning**, was called to answer for that he was suspected to have printed the late King *James*'s Declaration, and bound into a Recognizance to appear next Sessions, to answer he charge that shall be brought against him, *&c.*

On *Saturday* the 10th instant, The Right Honourable *Charles* Lord *Bunbury*, was brought into Court, who was committed lately for killing of one Capt. *Dawson*; he pleaded his Right of Peerage by his Patent which was openly Read in Court, after which he moved for Bail, but was told it could not be granted, and the matter was referred till next Sessions.

*The Grand-Jurors of the Grand Jury for the City of* London *did this Sessions bring in a Presentment into Court, which was openly Read; the Contents of which were to this effect.*

THAT whereas divers good wholsome Laws and Orders have been lately made in this City, for the strict Observation of the *Lords-Day*, and for the Restriction of all such as offend in [illegible]; yet notwithstanding several Persons in and about the Suburbs of the same, do still persist and go on in Profanation and Contempt of the same, by way of prophaning *the Lords Day*, to the displeasure and dishonour of Almighty *God*, the discouraging of Vertue, and the increase of [illegible] Wickedness; and to the disparagement of this Honourable City *&c.* Therefore they did humbly entreat this Honourable Court, to take severe notice of the same, and to put the Laws in due Execution against;

All Inn-holders fit Tipling and Drinking in Taverns and Ale-houses on the *Lords Day*.

Apprentices, all those who will not be Reformed, but do frequent Taverns, Tankards, Recruit it occasions go at noon-tide to the Worshipful Court, by reason that so many Offenders that are committed to Prison for Stealing the same.

Also, Against all Pedlars and Hawkers, or such as sit Selling [illegible] in the Streets on the *Sabbath-Day*. To the end that such as offend herein may be brought to condign [illegible].

Capt. [illegible] was Arraigned upon an Indictment of [illegible] for printing the late King *James*'s Declaration, to which he pleaded not guilty, and was ordered to remain in Custody till next Sessions, to answer the same.

*The Trials being over, the Court gave Sentence as followeth:*

*Burnt in the Hand.*

John Glendon, Thomas Allen, Thomas Catlin, Anne Drucker, Parnel Brandon, Anne Brown, Anne Ray, Anne Jenkins, Elizabeth Greene, Elizabeth Cary *Senior*, Elizabeth Cary *Junior*, Elizabeth Knott, Edward Ayers, Edward Prick, John Bunworth, John Gold, Lawrence Fell, George Seagor, Anne Wythe, Alice Chamberlain, *a former convict*, R[illegible]J. *was Respited from the Burning till further Order.*

*To be Whipt.* Mary Clever, Elizabeth Young.

*Receiv'd Sentence of Death*, 21.

Richard Star, Edward Sympson, Phillip Davies, James Greene, Mary Williams, Elizabeth Harris, *alias* Oliver, George Wood, John Neale, Robert Marshall *the Blind man*, Daniel Jones, Ambrose Holland, Elkana Smewin, Thomas Harding, Robert Wright, Elizabeth Pepper, Elizabeth Morgan, Sarah Chandler, Mary Bampford, Elinor Jones, Phillip Maguire, *a former convict*, and Henry Tankard, *for killing Mr.* Burton.

Grace Sympson respited before Judgment.

*To be Transported.* Elizabeth Starr.

*Robert Earle*, and *Patrick Gilbert*, to be sent into Their Majesties Service, and respited from the Penalty due to them for a Petty Larcenary.

*Elizabeth Gipson* delivered of a Child since her Arraignment.

*John Adderton*, for Assaulting and Wounding *Ralph Springall*; Fin'd 40 *l.* And for running one *Rammeton* through the Arm; Fin'd 20 *l.* and to find Sureties for his good Behaviour for 12 Months, and to rest in custody till all be performed.

*Mary Williams*, *Elizabeth Harris*, alias *Oliver*, *Elizabeth Pepper*, *Elizabeth Morgan*, *Elinor Jones*, pleaded their Bellies, a Jury of Matrons were sworn to enquire, and found them all quick with child. *Sarah Chandler*, and *Mary Bamford*, an old Woman, said they were with child, but were not found so.

Clippers and Coiners left to be tried next Sessions.

*Richard Cox*, *Richard Topping*, *Mary Cartwright*, *Anne Matthews*, *Edward Jeavon*, *Katherine Jeavon*, *William Turner*, *William Bailey*, and *Bethia Evans*.

*John Stafford*, who was tried with *Ambrise Holland*, and acquitted, was ordered to remain, there being further suspicion upon him.

*Benjamin Kallow*, was ordered to be sent to *Kent* Assizes, for a Robbery on the High-way, committed upon the Honourable Sir *Thomas Janion* Baronet, near *Tunbridge*, in company of *Whitney* and other High-way-men.

*Thomas Blackford*, Son to *William Blackford*, lately executed for Clipping, was ordered to go to Sea in the Service of the King and Queen.

*Daniel Brett*, and *Giles Wilcox*, were continued upon their former Recognizance.

*Adam Banks* Travers'd his Indictment.

*The next Ensuing Sessions was order'd to begin at* Justice Hall *in the* Old-Baily, *on* Monday *the* 16th *of* January *next, by* 7 *a Clock in the Morning.*

God Save King *WILLIAM*, and Queen *MARY*.

*Sir* JOHN FLEET, *Mayor.*


## ADVERTISEMENT.

*These are to give notice to all Persons for the benefit of the Publick That* W. Elmy *Professor of Physick, and Operator, of known Integrity, and above* 25 *Years Practice, liveth at the* Blew-Ball *in* Whale-Bone-Court, *at the lower end of* Bartholomew-Lane, *by the* Royal-Exchange. *Who most safely and expeditiously cures* Deafness, *and* Noise *in the* Ears, *in any, of what Age soever, (if curable) and at first sight by inspection resolves the Patient, if so or not, as most eminent Persons of Quality in this City can testifie. He hath likewise a Sovereign* Head-Pill, *which infallibly cures all Pains in the* Head, *whether chronically contracted; Speedily taking away all* Swimmings *and* Giddiness, *preventing the dangerous consequence of* Apoplectical Fits; *preserves the* Sight, *and takes away all Accidents offending the* Eyes, *strengthens the* Memory, *and disburthens the* Brain *of all offensive* Humours, *thereby rendring the Understanding more clear and vigorous.*

*These* Pills, *with Directions. He hath also* Pills *only prepared for the* French Disease, *and the* Running *of the* Reins, *may be had in Boxes of several Prizes, with other* Venereal Arcanaes, *as occasion requires, with Directions. He hath likewise an expeditious way in curing all pains in the* Teeth *without drawing. He hath likewise a most excellent* Gargarisme *or* Mouth-Water, *which will make black or yellow Teeth as white as Ivory in few times using, and it will certainly cure the* Scurvey, *and all other Diseases incident to the* Mouth, Teeth *and* Gums, *with Directions.*


[illegible]nted for *Richard Baldwin*, near the *Oxford Arms* in *Warwick Lane*, 1692.

# The Proceedings on the KING and QUEEN's Commissions of Peace, and Oyer and Terminer, and Gaol Delivery of Newgate, held for the City of London, and County of Middlesex, at Justice-Hall in the Old-Bayly.

On Wednesday, Thursday, Friday, and Saturday, being the 26th, 27th 28th, and 29th Days of April, 1693. And in the Fifth Year of Their MAJESTIES Reign.

THE Sessions of Peace, and Oyer and Terminer, Goal-Delivery of Newgate, held at Justice-Hall in the Old-Baily, on Wednesday, Thursday, Friday, and Saturday, being the 26th, 27th, 28th, and 29th Days of April, 1693. before the Right Honourable Sir John Fleet, Kt. Lord Mayor of the City of London, and Sir Salathiel Lovell, Kt. Recorder of the said City, with several others of Their Majesties Justices for the City of London, and County of Middlesex.

*The Jurors were as follows,*

London Jury.

| | | |
|---|---|---|
| *Joseph How.* | *William Merryddall.* | *Charles Huffam.* |
| *Francis Wynn.* | *Thomas Day.* | *John Layton.* |
| *John Winkly.* | *George Stynton.* | *Charles Harvey.* |
| *Robert Swynfin.* | *James Dovey.* | *Daniel Lock.* |

Middlesex Jury.

| | | |
|---|---|---|
| *Nicholas Goodwin.* | *John Munn.* | *Robert Stephenson.* |
| *Francis Child.* | *Francis Gotobed.* | *Richard Downes.* |
| *Thomas Franklin.* | *Richard Smith.* | *William Evanes.* |
| *John Peacock.* | *William Fynch.* | *Edward Swift.* |

*The Proceedings were these.*

**William Read**, a Countrey Fellow, who came from *Taunton* in the West, was tried for stealing 18 Weather-sheep, value 30 *s.* each, on the 16th of this Instant *April*, from one Mr. *William Sympson*; who said, that he lost the Sheep out of *Ham* Marshes in *Middlesex*, and the Sheep were found in the custody of the Prisoner. The Prisoner said, That one *Thomas Williams* hired him to drive the Sheep to *London*, but could not produce *Williams* to prove it. He was found guilty of Felony.

**Elinor Willowes**, alias **Winn**, was tried for stealing a Gold Ring, value 20 *s.* from *George Hawson*: On the 22d Instant she came to Mr. *Hawson*'s Shop to cheapen a Ring, and by slight of hand got away the Ring, and left a Brass Ring instead thereof; being stopt in the Shop, she swallowed the Gold Ring, which was plainly sworn against her. She was found guilty of Felony.

**John Noble** was tried for stealing a pair of mens Shooes, value 3 *s.* 6 *d.* On the 9th of *March* last, he came to the Shop, and pincht away the Shooes; and being stopt, he drop'd the Shoes at the door, and run away, crying Stop Thief, but was taken himself; which matter of Fact he could not deny; So he was found guilty to the value of 10 *d.*

**Sarah Vessel** and **Jane Glover** were both tried for stealing 16 Yards of strip'd Silk, value 50 *s.* the Goods of *William Thatcher* the Elder, and *Charles Thatcher*; they came to Mr. *Thatcher*'s Shop on *Shrove-Tuesday* last to cheapen some Silks, and Mr. *Thatcher* having a suspicion that they were Shop-lifters, had a sharp eye upon them, and the Silk dropt from under one of their Petticoats, as Mr. *Thatcher* verily believed; but that was but a presumption, they were both acquitted.

**Rece Powel**, a Welshman, was tried for stealing a Silver Tankard from one *Edward Turner* in *Woodstreet* on the 4th Instant, value 5 *l.* 10 *s.* which was found in the Prisoner's Lodgings in *Parker's Lane*. The Prisoner and two more came to Mr. *Turner*'s House to drink, and amongst them they carried the Tan-kard off. The Prisoner said he was concern'd in drink, and one of the other took the Tankard, and by no means would have been guilty of such a Fact, he coming out of *Wales* in order to give up some Accounts in the Excise-Office, being a Gager, &c. He was found guilty of Felony.

**Henry Watts** of Queen-hithe, commonly called **Rumbo**, was tried for feloniously and maliciously beating and assaulting one *John Brown* on the 23d of *March* last, giving him several blows upon the Head, Neck, Shoulders and Breast, of which he lay languishing until the 30th Instant, and then died; it was proved that the Prisoner gave him the blows [illegible] against a Cart at *Queen-hithe*; but the Doctors and Apothecaries gave Evidence, That the said *Brown* was much troubled with a shortness of breath, which might proceed from some disaffection in the Body, which upon search was found, his Lungs being putrified, and no external hurt was found upon the Deceased. So it could not be presumed that he died of any such bruises; besides there was a great deal of water found in his Body, which was long a contracting, and was rather the occasion of his death. The Prisoner was acquitted.

**Emme Woodhall** was tried for a Trespass, in offering to put a false Guinea upon one Mr. *Lamson*; but it was not fully proved upon her; so she was acquitted.

**Anthony George Van-Eke**, of the Parish of St. *James's Westminster*, Gent. was arraigned and tried for the murther of one *Arnold Endrick Van-Nive-Kein*, giving him a mortal Wound on the left part of the Breast, of the depth of six or seven Inches on the 5th of *December* last, of which he died the 6th day of the same Month, living but 24 hours after. There was a numerous Evidence called and sworn for the King, who declared that the Prisoner did go from his Lodgings, and absented himself ever since (till now he surrendered himself) without giving notice to his Landlady where he was; and when he came to Town, he took another new Lodging, and did not resort to the old one; all which Circumstances gave great suspicion upon the Prisoner, although there was no Evidence that could swear the Fact fully upon him, and the Prisoner argued that there were none that had proved him to be the man that kill'd him, so he denied the matter; and the Deceased acknowledged that he had his Sword drawn, and stood in his own defence when he was so wounded. So the Jury brought in a Verdict, That the Prisoner was not guilty of the murther, and to find how he came by his death, in order to satisfy the Coroner's Inquest; they found that he was kill'd by a Person unknown.

**Robert Starkey** was tried for the wilful murther of one *Joshua Bamford* his Fellow-Soldier, on the 13th Instant; the matter of Fact was thus; The Prisoner and the deceased Person were seen to go up St. *John's Street* together, quarrelling one with another; and when they came into the Fields towards *Islington*, the Deceased dared the Prisoner to fight, which he was very loath to do; but he coming upon him, the Prisoner drew, the Deceased having drawn his Sword first, and several Passes were made, and then they came to the Town-end again, where *Bamford* dropt down dead. The Prisoner did not deny the matter of Fact, but he followed *Bamford* when he might have shunn'd him; which the Law provides to be no less than Manslaughter; So he was found guilty of the same.

**Richard Howard**, **Elizabeth Howard**, and **Joseph Howard**, were all three indicted for stealing 7 *l.* in Money from *John Squire* of St. *Andrews Holbourn*; the Money was lost out of a Cupboard; but the Evidence could not swear positively against either of the Prisoners, only that the Woman owned to have taken the Money, to the Prosecutor's Wife, and that she would give it her again if she would but conceal the matter, and not disgrace her; but that was not believed by the Court, for the Woman gave a good account of her Reputation by Persons of good Quality; So she was acquitted, as also the men, by reason no Evidence did affect them.

**John Chalwell**, a Soldier, was tried for the murther of one *George Arwell* on the 18th day of *March* last; the Prisoner and the Deceased were at the *Horshoe* Tavern upon *Tower-hill*, and they happened to quarrel about warning Soldiers to the Guard, and they gave the Lie to each other; upon which the Deceased gave the Prisoner a slap on the face, after which their Swords were drawn, and the Deceased received a Wound under his left Pap, of which he died. They were in a little Room, and the Prisoner was forced to give back, and then stood in his own defence. So the Jury found the matter special, for the Court further to consider of the Fact according to Law.

Thomas

Thomas Floyd was indicted for breaking the House of one *Robert Albey* in *Ducus-Street* at *Westminster*, and taking away a Lute-string Gown, value 3 *l.* a Petticoat, value 50 *s.* and several other Goods; there was three of them seen to go into the House, and come out again, the Prisoner being one, who was soon taken, but the other escaped; the Prisoner denied the Fact, but had no witness; he was suspected to have been an old Gamester at the Art of Burglary; So he was found guilty both of Felony and Burglary.

**Katharine Matthews** was arraigned for stealing 26 yards of Muslin, value 4 *l.* 10 *s.* the Goods of *John Ingle*, to which she pleaded Guilty.

**Sarah Clifford**, alias **Becket**, alias **Bilbeck**, was likewise arraigned for stealing 2 Silver Tankards, val. 10 *l.* a Sugar-Castor, value 40 *s.* a Silver Box, value 40 *s.* 7 Silver Spoons, value 3 *l.* 10 *s.* a Porringer, value 3 *l.* a Gold Watch, value 20 *l* and other Goods of great value; to which she pleaded guilty.

**Mary Sealy**, alias **Mary Matthews**, and Wife of one *David Sealy*, was arraigned for stealing two Silver Tankards, value 12 *l.* from *Joseph Splay*; to which she pleaded guilty.

**Jane Green**, Wife of **George Green**, was indicted for stealing 7 Guineas and 23 *l.* in Money from one *Atkins Moor*. To which she pleaded guilty.

**Katharine Matthews** was a second time indicted for stealing 15 yards of Bone-Lace from *William Read*; to which she pleaded guilty.

**John Smith**, a Dutchman, of the Parish of Thistleworth, was indicted for Felony and Burglary, in breaking the House of Sir *Theodore Devaux*, Kt. on the 9th of *March* last; Sir *Theodore* deposed, That his House was broken open about Three a Clock in the morning by divers persons; but they being disturbed by himself, and the Family, and others that came to his assistance, they got away; but the Prisoner was found hiding himself under a Heyrick not far from Sir *Theodore*'s House, where he was taken by the Countrey men, with Sir *Theodore*'s Sword in his custody, he having lost nothing else; but he threw it from him, and said he came from *Brandford*, and was seen about Nine a Clock at night in the Town of *Thistleworth*. The Prisoner said that he went only to lye under the Heyrick, being in drink, to sleep; and that he had no Sword about him. It was not sworn that he was in the House, so he was acquitted.

**Benjamin Ellison** was tried for stealing 14 Weather-Sheep on the 1st day of *March*, value 20 *s* apiece, from *John Hoskins*, out of his Ground near *Redriff*; there was one found in the Prisoner's Bed-chamberin *Goswell-street*, and five in a Closet, and eight under the Stairs, which he said he bought of a fellow, one *Hopkins*, and was to give 20 *s* apiece for them; but he had no witness to prove it; so he was founnd guilty of Felony.

**Isaac Blunt** was tried for stealing a Brown Bay Nag, value 3 *l.* from *Allen Parsons*, on the 1st of *April* Instant; the Horse was found upon the Prisoner, as he swopt him with another man, near *London-Wall*; which was owned by the Prosecutor. The Prisoner said he bought the Horse of a Stranger in *Bishopsgate Street*, but could not produce any Witness to prove his Allegations; he had one person appear'd for him, who declared, that he had always behaved himself very honestly for several years last past, being a Hackney Coachman in the Parish of St. *Andrews Holborn*, in Little *Grays-Inn-Lane*, &c. He was found guilty of Felony.

**Walter Stephens**, a young Youth, was Indicted for Felony, in secretly Stealing from one Mr. *Beacon* on the 14th day of *March* last, a Sword with a Silver Handle, value 40 *s.* Mr. *Beacon* was going along *Lombard-street*, and the Prisoner was near him when he mist his Sword, which dropt upon the ground; but the Prosecutor said he could not Swear he was the Person that took it from his side; but another Witness proved that the Prisoner dropt the Sword, *&c.* he was found guilty of Felony.

**Charles Swyndall**, was Tried for privately Stealing 16 Ounces of Silver Fringe, value 3 *l.* 4 *s.* The Prisoner and two more met the Prosecutor, one Mr *Davis*, in the Street near *Cripplegate*, and pickt the Fringe out of his Pocket, which the Prisoner run away with; and being stopt, he dropt it in the Street; the Prosecutor had the Fringe again; so he was found guilty to the value of 10 *d.*

**George Gwynn**, was likewise Tried for privately Stealing a Sword from Mr. *John Chase* on the 11th of *April*. Mr. *Chase* was going over *Tower-hill*, and the Prisoner with him; Mr. *Chase* having first Treated the said *Gwynn* at the *Tyde-house* at *Billingsgate*; when they came upon the Hill, the Prisoner came behind Mr. *Chase*, and knockt him down with an Oaken Plant, redoubling the blows several times; then he drew his Sword out of the Scabbard naked, and beat Mr. *Chase* over the Head, and then rifled him, and took his Peruke, and then gave him above a dozen blows more, which he kept off with his Hands as well as he could; then he left him lying upon the ground almost dead, calling at the Watch-house in St. *Katherines*, telling them that he had been abused by the Prosecutor, and that he drew his Sword upon him first; and it not appearing that the Prisoner had any intent to Rob Mr. *Chase*, he was Acquitted.

**John Monk**, was Indicted for Robbing one *Joseph Hacket* of a Castor-hat, value 18 *d.* a Peruke, value 12 *s.* on the 20th of *February* last; the Prisoner owed the said *Hacket* some small Sum of Money which he would not pay him, so they fell out about it, and fought in the Street in *Holborn*, where *Hacket* lost his Hat and Peruke; but the Prosecution favour'd of Malice; so he was acquitted; besides *Monk* was proved by his Neighbours to be a very honest man, *&c.*

**John Symons**, was Tryed for privily Stealing from one Mrs. *Hughes* of *Cripplegate*, a Shell-box, value 5 *s.* a Thimble, value 16 *d.* and 7 *s.* in Money, *&c.* He met her in *Grub-street* on the 3d of *March*, and pickt her Pocket; she took him by the Collar, and stopt him till help came to her, *&c.* He was Burnt in the Hand but the last Sessions, and he could make no defence, only he said he took the Money up in the Street, which was but an Excuse; so he was found Guilty.

**Mary Sealy** alias **Matthews** alias **Cooley**, and **Elizabeth Howard** alias **Cary**, were both Arraigned for Robbing one Mr. *John Rogers* (on the 20th of *April*) of one Silver Tankard, value 9 *l.* a Silver Cup, value 50 *s.* four Spoons 45 *s.* two Forks, value 22 *s.* a Gold Ring 18 *s.* three flower'd Silk Petticoats, value 3 *l.* a Poynt Head dressing, value 30 *s.* with several other Goods of great value; *Sealy* confest the Indictment, and a Sarsnet Hood and a pair of Gloves was found upon the Prisoner; but the Plate was all lost: *Sealy* hired her self a Servant to Mr. *Rogers*, and within a day or two she stole away the Plate and Goods; the Prisoner said that *Sealy* lent her the Hood, *&c* and it was not proved that she had any actual hand in the Robbery; she was Acquitted.

**John Ogle**, was Indicted for Felony in Marrying Two Wives, the first one *Sarah Haslam*, whom he Married at the Parish of *East Ardsley* in the County of *York*, in the Second year of the late King *James*; the second, one *Mary Ivey*, whom he Married at *Westminster* in *January* last. The Evidence swore that he was Married to *Haslam*, for one of the Witnesses gave her in Marriage, and that he Cohabited with her, and had two Children by *Haslam*; the Certificate was produced in Court that was written by the Minister; there were others that corroborated the Matter fully upon him, how that he owned several times that he had Married the said *Haslam*; the Prisoner denied the Fact, and that he only Lodged in the House of *Haslam*, being an Inn; but that did not serve his turn; and he owned the Marriage to *Ivey* in Court, but denied the first; he was found guilty of Felony.

**Francis Freeman**, was Indicted for Stealing divers Coats from *Richard Ripey*. The Trap-door was broke open, and the Coats were gone, which were found at one *Strange*'s in *Long-lane*, who fairly bought them; the value of the Coats 4 *l.* 4 *s.* The Prisoner could not make out that he came fairly by the Coats; so he was found guilty of Felony.

**Edward Tibballs**, was Tried for Stealing a Gelding price 50 *s.* a Chesnut Mare, price 4 *l.* the Goods of one *John Allaway*; the Horse was lost out of *Berkshire*, and was found in the Prisoners Custody at *Mile-end-Green*. The Prisoner said that one *Smith* lent him the Nag at *Henly*, and offer'd him to Sale at *Mileend*; but it was proved that *Smith* and he Vouched for one another at *Henly* Fair, and changed their Names, which was presumed to be no honest man's way of dealing; he was found Guilty.

**Edward Tibballs**, was a second time Indicted, together with one **William Kingston**, for Stealing a Mare (the 6th of *March* last) out of the Grounds of the Owner, one *Richard Townsend* of *Hackney*. The Mare was valued at 3 *l.* and was found in Mr. *Fosset*'s Stable at *Islington*, where the Prisoners were stopt, and *Kingston* confest that they were both concerned in the stealing the Mare; but upon their Trial *Tibballs* said that he never toucht the Mare; to prove which he appealed to his Fellow Voucher *Kingston*, but that did not avail him; so they were both found guilty of Felony.

**George Taply** and **Daniel Taylor**, were both Tryed for breaking *Robert Osborne*'s House at *Enfield*, about the Hours of Twelve in the Night, taking away a Cloth Coat, value 10 *s.* a pair of Breeches, a pair of Shooes, *&c.* and 8 *s.* in Money;

*Osborne*

*Osborne* depoſed, that the Door was broke open, and they came to the Bed-ſide and bid him lye ſtill and he ſhould come to no harm, and after took away all he had, except the Shirt upon his Back. *Taply* was found at *Stamford-Hill* by the Countreymen, with an Oaken-ſtick and a Razor about him, which *Osborne* owned to be his; they were able to make no manner of defence; but yet no Evidence affecting *Taylor*, he was Acquitted; but *Taply* was found guilty of both Burglary and Felony.

They were a ſecond time Indicted by the ſame Names for Felony and Burglary, in breaking the Houſe of *Thomas Robinſon* of *Edmonton*, and taking away a Spoon, value 5 *s.* a Thimble, value 1 *s.* 4 Table-cloths, value 10 *s.* *&c.* beſides 7 *s.* in Money; they broke the Window open, and ſwore great Oaths at Mrs. *Robinſon*, and lighted a Candle by the Coals that was rak'd up in the Aſhes: They were preſently taken at *Stamford-hill*. They ſtaid two Hours in the Houſe, and eat Bread and Butter, and drank ſuch drink as they could find; the Goods were found upon them both. They had little to ſay, ſo were both found guilty of Burglary and Felony upon this Indictment alſo.

They were a third time Indicted for breaking *Elizabeth Birts* Houſe Widow at *Enfield*, and ſtealing a Piſtol, value 10 *s.* five Yards of Cloth, and other Linnen, and 8 *d* in Money (all the poor Woman had) they having broke three or four Quarrels of the Glaſs Window; the Woman, after much forcing, ſhe let them in, *&c.* *Taylor* bound her with Packthread, and the Piſtol was taken from him, and the reſt of the Goods were in their Cuſtody; they broke two of the Houſes in one Night; ſo they were only found guilty of Felony, but the Burglary was not proved.

**Lucey Whale**, was Tried for Robbing one Robert Elliot of *Covent-Garden* of four pair of Callico Curtains, value 8 *s.* a pair of Sheets and Blankets, a Looking-glaſs. She lodged in Mr. *Elliot*'s Houſe, and confeſt that ſhe took the things and Pawned them, having urgent occaſion for Money for a Weeks time, with a deſign to bring them again; that was all the defence ſhe made: ſhe was found guilty to the value of 10 *d.*

**Thomas Allen, Robert Beames**, and **Mary Burley**, were all three Indicted for breaking *Edward Stent*'s Houſe of *Stepney* on the 24th of *February* laſt, about the Hour of Seven in the Evening, and Linnens and Woollen, and divers other Houſhold Goods were taken away. The Witneſs could not ſwear the Door was lockt when they came, neither that the Houſe was broke open, but ſeveral of the Goods were found upon *Beames* and *Allen*, and five Picklock Keys were taken out of *Beames*'s Pocket, and a Betty, where he was found in Bed betwixt two Women, the Priſoner *Hurley* being one of them; there was no Evidence to charge her home, ſo ſhe was Acquitted, but the other two were found guilty of Felony.

**Iſabella Gardner** Wife of John Gardner, was Arraigned for ſtealing from *Thomas Sympſon* four Yards of *Flanders* Lace, value 4 *s.* a pair of Gloves, and a *French* Piſtole, value 17 *s.* 6 *d.* to which ſhe pleaded Guilty.

**Charles Steward**, was Arraigned for ſtealing a Muſlin Head-dreſs, and other ſmall Linnens from *Ann Adams*, to which he pleaded Guilty.

**John Gold**, was Arraigned for Robbing *William Pearpoint* of a Blue Cloth Cloak, value 3 *l.* to which he pleaded Guilty, *&c.*

**Mary Williams** and **Elizabeth Burkin**, two young Girls, were both Tryed in one Indictment for ſecretly ſtealing from *Eſther Burnham* Wife of *Henry Burnham* 5 *s.* in Money. On the 14th inſtant Mrs. *Burnham* was going along the Street, and *Burkin*'s Hand was ſeen diving into her Pocket; but ſhe had conveyed what Money ſhe found to another Perſon that run away, and nothing was found about either of the Priſoners; they both denied the Fact, but they were known to be old Offenders, tho very young; they were both found guilty of Felony.

**Thomas Hoblin**, was Tryed, for that he the 27th of *March* laſt did ſteal from *Thomas Fabyan* one *Hool*'s *Cato*, value 10 *d.* one *Terrentius Chriſtiana*, a *Sententia Pueriles*, one *Ovid de Triſtibus*, and ſome other School-books to the number of ſeven; he was caught in the Shop with the Books about him, he and another man coming to cheapen Books; but there being only a Child in the Shop, the Priſoner had put the Books under his Coat; the Perſon that was with him run away; he had other Books under his Coat beſides, which he dropt in the Shop; he was found guilty of Felony to the value of 10 *d.*

**William Butler**, and **Robert Wayte** alias **Wade**, were Indicted for Felony in Stealing from *Mary Wilſon* Widow 4 four Alamode Hoods, value 12 *s.* a Pewter Pot, a Rundlet, a Silver Tankard, value 5 *l.* 120 *l.* weight of Soap, value 35 *s.* 200 *l.* weight of Cheeſe, four Gallons of Stomach Waters, with ſeveral other Goods of Value. Some of the Cheeſe and Waters were found in *Butler*'s Houſe at *Puddle-dock*, and a Rundlet in the Cellar, but no Goods were found in *Wade*'s Room; *Butler* called ſome Witneſſes, who ſaid that he was at *Covent-Garden* when the Robbery was done, which was as the Proſecutor ſaid the 4th of *April* about Three a Clock in the Morning; but they might poſſibly be miſtaken as to the time; they were both found guilty of Felony.

**Jane Croucher, Grace Dempſey** alias **Sympſon**, and **Margaret Palmer**, were all three Tryed in one Indictment for Breaking the Houſe of Mr. *William Jolly* in the Pariſh of St. *Gregories*; *Crouch* was Mr. *Jolly*'s Servant, and ſhe let the other two into the Houſe after her Maſter and Miſtreſs were in bed, on the firſt of *April*. They took away 7 Bone-Lac'd Cravats, value 5 *l.* 10 *s.* 276 Yards of Bone-Lace, value 88 *l.* 19 *s.* and 8 Yards of Poynt-Lace, value 10 *l.* *&c.* *Croucher* confeſt the Fact before the Right Honourable the Lord Mayor; and that *Dempſey* broke open the Lock of a Cloſet where the Lace was, and then they all went to one *Ralph*'s in *Leather-Lane*, where they had a Lodging, and there they divided the Spoil, and part of the Lace was found upon them when they were taken; they were all three found guilty of Burglary and Felony.

**Joanna Hanſon** and **Alice Lee**, were both tried for Clipping the Current Money of *England*; on the 7th Inſtant there was found in *Hanſon*'s Houſe in *Black-Fryars* ſeveral Clippings, and ſeveral Filings, and 7 or 8 pair of Shears, and 6 pair of Sciſſers, *&c.* which were ſhewed to the Gentlemen of the Jury, but nothing was found in the Chamber where the Priſoners lay; neither any Clipt Money; the Priſoner had ſome Witneſſes, eſpecially *Lee*, who gave a favourable report of their way of living, which was to make Mantua's, *&c.* they were both acquitted.

**Elizabeth Hudſon** was tried for ſtealing a piece of Silk of the value of 5 *l.* from Mr. *John Ruſdyer* in *Ludgate-Street*; ſhe came to cheapen ſome Silk, particularly a Remnant to cover a pair of Stays, and the Silk was ſeen to drop from her; but the Witneſs was not poſitive; ſhe was acquitted.

**Ann Gapwood** was indicted for ſtealing a Silver Tankard from one *James Amos*, near *Aldgate*, value 4 *l.* which was fully proved, how that ſhe came to *Amos*'s Houſe to drink, and took away the Tankard, which ſhe confeſt when apprehended; So ſhe was found guilty of Felony.

**Richard Sparks** was likewiſe tried for ſtealing a Silver Tankard, value 6 *l.* from *James Uphill* on the 22d of *April*; he came to drink, and took away the Tankard; and for the diſcouragement of Alehouſe-keepers, that they may not ſell drink in Silver Tankards, the Court order *Uphill*'s Licenſe to be taken from him, *&c.*

**John Wills**, for ſtealing a Silver Tankard from Benjamin Cook, pleaded guilty to the Indictment.

**Francis Winter**, otherwiſe called Captain **Winter**, who lived lately in *White-Fryars*, was arraigned and tried upon an Indictment of Murther, for killing one *John Chandler*, with a Leaden Bullet ſhot out of a Blunderbus, value 10 *s.* giving him a mortal Wound upon the Calf of his Right Leg, of the breadth of one Inch, and of the depth of three Inches; upon the 4th of *July* 1691. of which Wound ſo given by the ſaid *Francis Winter*, he the ſaid *Chandler* died the 7th day of the ſame Month, in the Ward of St. *Andrews* Wardrobe; the matter of Fact was after this manner; there being a Riot and a Mutiny raiſed in *White-Fryars*, by reaſon the Gentlemen of the *Inner-Temple* were offended at a Paſſage that leads from the *Fryars* into the *Temple* Walks, ſo would ſtop it up, which the *White Fryars* men oppoſing, the Gentlemen ſent to acquaint the High Sheriffs of *London*. (*viz.*) Sir *Francis Child*, and Sir *Edward Clarke*, who came by vertue of their Authority to appeaſe the Rout; but they would not be perſuaded to peace, but made a hot Reſiſtance; and there were gathered together to the number of about fourſcore, the Priſoner being at the head of them, as their Captain and Leader, preſenting a Blunderbus againſt the Sheriffs Officers, ſhooting it againſt them; and the deceaſed *Chandler* being unfortunately in the Croud to aſſiſt the High-Sheriffs, he was ſhot by the ſaid *Winter* into the Calf of his Leg, as aforeſaid; and he declared before his Wife, and others who were his Friends, that it was Captain *Winter* that ſhot him, for he knew him very well, and deſcribed him by his Garb, he having on a White Waſtcoat, and a Cap button'd up on one ſide, in which Equipage the ſaid *Winter* was in at the ſame time; all was very clearly and particularly proved againſt the Captain: And he had very little to urge in his own defence, only denied that he ſhot the ſaid *Chandler*, and that others ſhot beſide him; but then the Court directed the Jury, as to point of Law in the matter; telling them, That where any Lawful Authority ſhall

be

be oppoſed by any Riot, or Riotous Aſſembly, this implied Malice in Law, in the Perſons ſo offending, and they were all equally guilty; and conſequently, if the Priſoner did not ſhoot *Chandler*, yet he was guilty of Murther, becauſe he did abet, promote, ſtir up, and maintain ſuch a Rebellious and Unlawful Aſſembly; So the Jury having well conſidered of their Verdict, they brought the Priſoner in guilty of Murther.

**A—— M——** was tried for the murther of her Female Baſtard Child on the 2*d* of *April* inſtant, ſhe being a Nurſe to the Wife of one *John Dennifon*; there being ſearch made for a loſt Cock in the Houſe of Office, there was found the Child lying in the Excrement; and ſhe being ſearcht by the Midwives, the Symptoms of Chil-bearing was found upon her; but ſhe proving by ſeveral Witneſſes that her Husband was alive, the Law acquitted her of the Murther, but not without great ſuſpicion of her being a naughty wicked Woman.

**Richard Jones** was indicted for ſtealing a Silver Tankard, value 4 *l.* 10 *s.* from *Francis Frazer*, at the *White Dragon* in *Holborn*; he came to drink at Mr. *Frazer*'s in Company of a Sadler, and went away again; but came again at Night, and the Tankard was loſt; but the Witneſs could not ſwear poſitively that he took it; So he had the fortune to eſcape, and was acquitted by the Jury.

**Peregrin Parrot** was tried for Felony and Burglary in breaking open the Houſe of one *Robert Kington*, on the 31*ſt* of *March*, and taking away one Camblet Cloke, value 4 *l.* one Cloath Coat, value 4 *l.* a pair of Shag Breeches, value 40 *s.* a Petticoat, value 3 *l.* and a great quantity of other wearing Apparrel; he was taken coming out at the Window one Story high, and two men more, got away, who received the Goods from him; the Burglary was not fully proved, the Priſoner had no good defence to make, having been burnt in the hand before. So he was found guilty of Felony only.

**Mary Middleton**, a Child, aged about ſeven or eight years, was arraigned for ſtealing from Mr. *Thomas Nickols*, Solliſitor at Law, two Silver Spoons, value 10 *s.* one Allamode Scarf, value 14 *s.* a Snuff-Box, value 5 *s.* a Muſlin laced Head-Dreſs, value 6 *s.* to which ſhe pleaded guilty.

**Katherine Milton** was likewiſe arraigned for Robbing one *Henry Duncomb* of St. *Giles in the Fields*, on the 7*th* of *January* laſt of a Silk Petticoat, value 5 *s.* a Stuff Petticoat, value 3 *s.* a Smock 12 *d.* to which ſhe immediatly pleaded guilty.

**H—— M——, M—— S——,** and **E—— M——** of St. Margaret's Weſtminſter, were all Three Tryed for High Treaſon in Clipping, Cutting, Filing and Diminiſhing the Lawful Money of *England*, *&c.* The Houſe where *M*— Lodged is near *Weſtminſter-Hall*, behind a Place called *Heaven*, which being ſearch'd, there was found in *H— M——*'s Cloſet a parcel of Clipt Money both Shillings and Six-pences, beſides a great parcel of Clippings, Files, one pair of Shears, Rubbing-ſtones, Scales, Weights, *&c.* and all other neceſſary Utenſils fit for the Ancient Trade of Clipping. The Women were in the ſame Room with him; but no Evidence was found to affect them, ſo they were Acquitted. Mr. *M*—— called ſome Evidence, who ſaid, That he had Let the Room to one *Jones*, who poſſibly might be the Clipper, but that was nothing to the Matter, and he was not able to give any account how he came by the Clippings, *&c.* he was found guilty of High Treaſon.

**William Partin** and **Robert Preſley**, two Notorious Houſe-breakers, were both Tryed, for that they together with one **Dozets Poor** not yet taken, did break the Houſe of Sir *John Friend* Knight, putting one *Elizabeth Brabon*, and the reſt of the Family in bodily fear, on the 14th day of *March* laſt, taking away to the value of about 600 *l.* worth of Plate; *viz.* two Silver Monteths, value 50 *l.* two Baſons 40 *l.* three Silver Salvers, value 15 *l.* eight Candleſticks, value 18 *l.* two more, value 4 *l.* two Silver Chafingdiſhes, value 3 *l.* ſeven Salts, value 7 *l.* two Cups 6 *l.* 8 *s.* two Chamber-pots 10 *l.* four Silver Tankards 20 *l.* 6 Porringers 12 *l.* 13 Silver Spoons Gilt 9 *l.* 15 *s.* two Silver Plates, two Sugar-boxes, two Ladles, two Muſtard-pots, Pepper-boxes, Skillets, Snuffers, a Watch with a Shaggreen Caſe, value 12 *l.* 11 Gold Rings, two other Gold Rings ſet with Diamonds of great value, and ſeveral other pieces of Plate of very great value, beſides 100 Guineas, all taken away, all which did amount to the value of 600 *l.* and upwards, as aforeſaid, *&c.* Sir *John Friend* depoſed upon Oath that his Houſe was broke open at *Hackney* on the 14th of *March* laſt, about Three a Clock in the Morning by four Men who came in at the Window, and then came to his Chamber door, and broke it open, and bound him and his Lady in the Bed, and the reſt of the Family, cauſing Sir *John* to lye upon his face; then they bundled up the Plate, and went off with it to *Preſley*'s Lodgings in *Liquor-pond-ſtreet* in St. *Andrew*'s Pariſh, where they parted it, and took every one his ſhare; *Moors* ſhare was ſold to one *Sterton* in *Piccadilly*, who ſent a Melting-pot to melt it down firſt, whereupon a Bench Warrant was immediately iſſued out againſt him, in order to anſwer the ſame. One *Tovey*, who was in the Robbery being made an Evidence againſt the Priſoners, gave a full and large account of the whole matter of Fact; how that they met at one *Doyley*'s in *Black-friars*, where they laid the Plot to go any where to find a Booty; ſo the firſt Houſe they fell upon was Sir *John Friend*'s, and that he ſent his own ſhare and *Martin*'s by a Ticket-Porter to Sir *John Friend* after the Robbery was done. *Martin* denied the Fact, and ſaid he knew nothing of it, behaving himſelf very moroſely and turbulently in Court; for at his Arraignment he would not hold up his Hand till he was forced. *Preſly* pretended that he was not in the Robbery, and called ſome Witneſſes to prove that he was elſewhere; but *Tovey* poſitively ſwore that they were both there with him and *Moor*; ſo they were both found guilty of Felony and Burglary.

**Charles Toms** and **John Panuing** were both tried for ſtealing two Ducks on the 18*th* of *March* laſt from *Thomas Coats*; they drove the Ducks out of *Coats*'s Yard into a Coach-houſe, and cut off the Heads, and ſealed them up in a Paper, and directed it thus: *Theſe for* Thomas Coats *a* Yorkſhire-man; the Priſoners denied, and ſaid, they knew nothing of the matter; it was on a *Sunday*, and they ſaid they were at Church waiting upon their Maſters with their Coaches; there was ſomewhat of Malice appear'd; ſo they were both acquitted.

**John Dennis** was indicted for Robbing one Richard Stock of a Stuff-gown value 5 *s.* on the 24*th* of *April* laſt, to which he pleaded guilty.

**Charles Steward** was tried for robbing one *Samuel Hoyle*, on the 17*th* of *February* laſt, of a Sattin Petticoat, value 3 *l.* a pair of Silk Stays, value 30 *s.* 3 Yards of Lace, value 20 *s.* and other Goods of good value, which he confeſt to have taken before Mr. Juſtice *Smith*, as appeared by his Examination read in Court, he was found guilty.

## Theſe men were ſworn to Try Mr. *Nicholas Charleton.*

| | | |
|---|---|---|
| *John Kene.* | *Edward Fuller.* | *Henry Ruſſel.* |
| *Matthew Bateman.* | *Symon Smith.* | *Henry Jones.* |
| *Timothy Thornbury.* | *William Thornbury.* | *William Willis.* |
| *Richard Bealing.* | *Joſeph Bliſſet.* | *William Thompſon.* |

**Nicholas Charleton**, who was tried the laſt Seſſions for ſtopping Mr. *Henry Lamb*, Gent. as he was riding in his Coach to his Houſe near *Aſton*, in Company of four men more, ſuppoſed to be High-way men, was now again tried upon *Coventry*'s Act, for a malicious Maiming of him, with an intent to diſfigure him; Mr. *Lamb* ſaid, that five of them came up to his Coach, ſwearing great Oaths, ſhooting off no leſs than nine Piſtols againſt him, one of which ſhot his Watch, which was in his Fob-pocket, and did him no harm; another ſhot him upon the Middle-finger of his Right-hand, and almoſt broke it in pieces; but Mr. *Lamb* only ſaw the Priſoner's Face by the flaſhing of the Powder; and there were others who ſaid they met the Priſoner upon the Road the ſame day; Mr. *Lamb* ſhot one *Keeling Baſord* dead upon the ſpot, and wounded another, before they went off: The Priſoner produced ſeveral Witneſſes to prove that he was all that day at *Greenwich*, particularly the two Watermen, who took him up at *Weſtminſter* about 8 a Clock in the Morning, and brought him home about 7 or 8 at Night; there were others that ſaw him there, which they were very ſure of, by reaſon that the Lords of the Admiralty dined there the ſame day, which was the 21*ſt* of *January* laſt; So after the Jury had conſider'd a conſiderable time, they brought him in not guilty.

**Anne Spotings** alias **Parker** alias **Abigail** alias **Hall**, was Indicted for the Murther of her Female Infant Baſtard Child, on the 30th of *October*, about ſix or ſeven years ſince; but none could prove it a Baſtard, only the Proſecution aroſe from Malice, by reaſon of a quarrel that happened between the Priſoner and ſome Women that was at the Labour; but it appeared to be a Malicious Proſecution, and the Church-warden of *Clerkenwell* Pariſh teſtify'd, that ſhe dropt the Child in their Pariſh, which was ſent to Nurſe and died, and that ſhe had a Husband at that time, but being poor, ſhe was not able to keep the Child; ſo ſhe was Acquitted.

**Elinor Trant**, alias **Burton** alias **Cropper** Widow, was Indicted for breaking open the Houſe of *John Walker* Eſq; in *Hadley* near *Barnet*, upon the 17th of *March* laſt about 12 a Clock at Night, and carrying away the Goods and Money of

*Suſanna*

Sut. ...ake Baker (the said Walker's Servant), viz. six Gold Rings, value 5 l. six Holland Smocks 4 l. 18 s. six Nightroyls, valute 3 l. three broad pieces of Gold, 16 Guineas, four Five Shilling Pieces of Gold, and 13 l. 10 s. in Silver, to which the Prisoner pleaded not Guilty; but the Evidence for the King did positively Swear, That 5 Persons, two in Red, and two in Blue, and the fifth in an Iron gray colour'd Coat, and lightish colour'd Periwig, broke into the said House at the time aforesaid, and carried away the Goods and Money abovementioned, and particularly in rifling Baker's Trunk, took out the Smocks and Nightroyls, and throwing them to the Person in Grey Cloaths, (whom Baker really supposed to be a Woman,) said, Here Sutton take these, they will serve you, who she Swore was the Prisoner at the Bar; and upon search to apprehend the Prisoner at her House upon Finchly Common, the said Grey Coat was found in her Bed-chamber. It was further Sworn by Two Witnesses, That in February before she was seen upon the Road in Boots and Mans Cloths, which was not denied by the Prisoner, and that she went by the Name of Sutton. The Prisoner brought several Witnesses, among whom one Mr. Jordan said, That he was in her Bed-chamber before that time, and all that Night, and that she did not stir out of her Bed till Morning: Upon which, he was after a severe Reprimand from the Court required to give an Account of himself. A great many other Witnesses said, They knew no harm by her; nor, that they knew she ever went by the Name of Sutton; but the Court asking her why she went in Mans Apparel, the Prisoner replyed, She went to Woo a Widow. Upon the whole Matter the Jury brought her in not Guilty.

**John Lumkin** was arraigned for stealing from one *Michael Hawley* a Cloth Coat, value 8 s. a Wastcoat, value 2 s. 6 d. he left an old Sute, viz. the Coat and Wastcoat, as pawn, with *Hawley* the Taylor, for 5 s. he was to have to mend another Black Sute; the Prisoner had good Evidence, he was acquitted.

**Sarah Stitchcome** was tried for stealing from *Robert Neale*, on the 7th Instant, 29 s. in Money, the Prisoner said that *Neal*'s Wife was jealous of her; for that she lodged in *Neal*'s House, and she said she brought above 5 l. into the House with her, which she had out of *Glostershire*; it seemed to be a malicious Prosecution, she was acquitted.

**Martha Thomas** was indicted for Robbing Sir *Leonard Robinson*, Knt. in *Hogsden-Square*, on the 6th Instant, taking away three Blankets, value 15 s. a Brass Pestle, value 12 d. a Mortar, val. 18 d. three Silver Spoons, value 16 s. and divers other Goods of value, which the Prisoner carried to the House of one *Dunn* of *Bethnal-Green*, which were found and owned by the Prosecutor; She was found guilty.

**Joseph Mansfield**, a Highway man, was arraigned and tried upon two Indictments, for two Robberies upon the King's Road; the first upon *Thom. Henslow*, Esq; and the second upon *John Knowles*, both at one time; They were passing along the Road on this side *Acton* in the Stage-Coach, on the 25th of *March* last, about Sun-set, and about half a mile on this side the Town, the Prisoner, with 5 more High-way men stopt the Coach, and took from Esq; *Henslow* 9 s. in Money; and from Mr. *Knowles*, a Snuff-Box, val. 2 s. a Saddle, val. 6 s. a Seal, and other things, &c. there were several other persons robbed at the same time, that were in the same Coach, who gave a particular account of the matter of Fact, he was found guilty of robbing Mr. *Henslow*, but acquitted of Mr. *Knowles*'s Indictment.

**Robert Lambert** and **Ann Dylton**, alias **Baracourt**, of *Westminster*, were both tried for Clipping the King's Lawful Coine; *Lambert*'s House was search'd by virtue of a Warrant from Mr. Recorder, and in the same was found three pair of Shears, a pair of Skales, and several Files, &c. and a quantity of Clipt Money was found in *Hilton*'s Bosome, and two Files were found in *Lambert*'s Room, and in his Drawer was found about 30 l. of broad Money, which he said he had from his Friends in the Country, but he did not produce them to prove it; the Shears were found in a hole betwixt that and the next House, which was a suspected House, where ill people did resort; they were both acquitted.

**J—— K——** a Taylor, and his Wife **J—— K——** were tried likewise for Clipping the Current Money of *England*, &c. their House being search'd on the 6th of this instant *April*, in *Pick-a-Dilly*, there was found upon the Bed a parcel of Clippings, and some in the Bed, and a pair of Shears between the Bed and the Ticking, and a crucible and Melting-pot, which was produced in Court; the man said that he knew nothing of it, and his Wife and he were amazed to see the Clippings, when found, and that there was a Woman that was acquainted with his Wife that bore them ill will, and threatned to do him a diskindness at his House the same morning the Clippings were found, and she might put them into the Bed; they were both acquitted.

**Gabriel Powell** was tried for stealing 16 Musquets, valine 7 l. two Musquetoons, value 36 s. &c. there was no Evidence could swear positively; so he was acquitted.

**Ann Warer** was tried, for that she was hired as a Servant to one Madam *Conway* in *Gravell-Street*, did let in two Thieves, men, who seized upon Young Mrs. *Conway* and bound her, and almost throtled her; but being disturbed they got away without conveying any thing away; the Prisoner had little to say, but hung down her head, in a kind of a dejected manner; she was found guilty.

**Grace Sympson**, alias **Dempsey**, alias **Pitchell**, was a second time Tryed singly for stealing from *Thomas Heyrick* Goldsman in St. *John-street*, two Silver Spoons, value 20 s. a Silver Cup, value 7 l. 7 s. and three Holland Smocks 12 s. and a Coral 8 s. all which were found at the *Black Lion* in *Holborn* in a Drawer, which the Prisoner owned when taken. She was found Guilty of Felony.

**Margaret Sutkins**, alias **Berry**, was Tryed for Clipping Money, there was a pair of Shears and a Box of Clippings found in her House in *Wapping* by the Constable, which were pulled out of a hole in the Wall, where a Trumpetter Lodged (but the Prisoners Daghter a little Girl), there being another young Girl playing with her, says the Child to the Girl that was the Witness, Look what a sight there is, this is the Trumpetters doing, and I am afraid my Mother had a hand in it, &c. but that was no Evidence, and nothing was found about her, so she was Acquitted.

**Edward Abbot** and **George Ireland**, were both Tryed for a Misdemeanor in endeavouring to disperse False and Counterfeit Money, knowing it to be so. There was mony which was Naught and Counterfeit found upon *Abbot*, and a File, and a small Paper of Filings were found upon *Ireland*; *Abbot* said he found the Money between *Highgate* and *London*; they were taken in *Islington* fields: The Jury Acquitted them.

**John Abbot**, Goldsmith and Citizen of London, was Tryed for High Treason in Clipping the King's Coin, a great quantity of Clipt Money and Clippings, besides Shears, &c. were found in the House of the Prisoner in *Cripplegate* Parish, behind the Bed in his Chamber, and a great deal of Plate, a Pistol, and Swords, of great value, were found in the Counting-house; the Prisoner said, that he was in the Countrey at the same time, and that he knew not how the things came into his House; he was Acquitted.

**William Martin**, Charged for Robbing the Honourable the Baroness of *Dartmouth* on the 22d of *January* last of a great quantity of Plate of very great value; and *John Abbot* and *Sarah* his Wife, were Indicted for being assisting to the said *Martin*; but the Robbery being Committed in *Kent*, the Indictment was set aside; and they all Acquitted here.

**George Middleton**, was Indicted for stealing two Watches, value above 5 l. on the 10th of *November* last; the Prisoner and another man came to one Mr. *Williamson*'s Shop near the *Royal Exchange*, and cheapened two Watches, and after that the Watches were milling, the Prisoner said, that there were others in the Shop; but the Prosecutor said there was none but a Man who brought a Watch to mend; he called one Evidence to his Reputation, who said, he knew no hurt by him; but it did not avail him, for he was found Guilty of Felony.

**Elizabeth Thompson**, a Pickpocket, was Tried for diving into the Pocket of one *John Bell*, and taking out 4 Iron Keys, value 16 d. She took her Hand in her Pocket, and she dropt the Keys, but took no Money; she was found guilty to the value of 10 d.

**Elizabeth Carnoll**, was Tryed for stealing four Yards of Bone-Lace, value 5 s. from Mrs. *Elizabeth Atkins*. The Prisoner came in Company with another Woman to Mrs. *Atkins*'s Shop in *Great East-Cheap*, and stole the Lace, which she confest before a Magistrate, and about a Week after she came to the same Shop and was taken; she was found guilty to the value of 10 d.

**Robert Beamer**, was Tryed, for that he being Committed a Prisoner to the Goal of *Newgate*, and being there under the Care of *William Richardson* Gent. and Keeper of the said Goal, and the Sheriffs of *London*, he did break out of the said Goal, and made his escape, but was taken in a few days after at *Wapping*. They had some Augers, with which he and another bored holes in the Boards and broke through, and then by the help of a long Rope they slided down and got away; the other

ther was not now Tryed; the Prisoner was found guilty of Felony.

One *Francis Salisbury*, a Minister in Suffex, was Indicted for a High Misdemeanour, for Publishing a most Scandalous and Virulent Libel, Entituled, *A Letter sent to Dr. Tillotson several Months ago, and now made Publick by reason the Author has not heard of any Satisfactory publick satisfaction*, &c. in which Libel there were found several Malicious and Scandalous Expressions against the King and Queen, the Judges, Juries, the Army, the Fleet; yea, and against all Persons that were concerned for the present Government. *Mr. Robert Stephens* the King's Messenger to the Printing Press, found Mr. *Salisbury* in Mr. *Roper*'s Shop, shewing the Libel to Mr. *Roper*'s Man, who endeavour'd to hide it when he saw Mr. *Stephens*, which he took from him, but Mr. *Roper* knew nothing of the Libel, and that was a Publication in Law; Mr. *Salisbury* said, he received the Libel in a Penny Post Letter, but from whom he knew not, nor who was the Author, so he was found guilty of the Indictment.

*Henry Harris*, was Indicted for Felony and Burglary in breaking the House of *Bryan Brandon*, and stealing 2029 *li.* weight of Hair, value 100 *l.* and three Razors. *Brandon* and his Wife were walking abroad on a *Sunday* in *August* last, and when they came Home the Hair was gone, but they could not say he committed the Offence, he was Acquitted.

*Mary Jones*, an Old Woman, was Tryed for stealing from one *Blake* 6 *s.* and 10 *d.* on the 17th of *February* last; but the Evidence was not sure that the Money so he was Acquitted.

*Robert Harness*, who broke the Goal of Newgate as aforesaid is made appear, was a second time Indicted, together with *Christian* his Wife, for Silly Accusing one Mr. *Jarvis* of High Treason, by putting some Clippings and Files into *Jarvis*'s House of Office: There were others concerned with them in the Contrivance; and because *Harness* had Robbed Mr. *Jarvis*, they combined together to put this Trick upon him to take off his Evidence against *Harness*, which was fully Sworn, so *Harness* was found guilty, but his Wife was Acquitted.

*Richard Johnson*, a young Lad, was Tryed for breaking the House of one *Robert Cooke* in the Night-time of *Inquiry*, on the 17th of *January* last, taking away 46 Yards of Linn-Lining Silk, value 17 *l.* 2 Silver Cups 5 *l.* and seven Spoons, value 3 *l.* He confest the Matter; but the House was not broken, so he was found guilty of Felony only.

*Sarah Gosling*, was Indicted for Robbing one Mr. *Langley* of St. Sepulchres widower, of 2 Cloth Gowns and other wearing Apparel of small value, which she confest when taken; so she was found guilty to the value of 10 *d.*

*Mary Kemp*, was Tryed for Robbing her Mistress one *Elizabeth Langley* in *Warwick-street* at *Charing-Cross* of a Payre Cozet, value 5 *l.* a Fanner 5 *l.* and other things, which Mrs *Langley* had again in *Long-lane* where the Prisoner had sold them; she owned the Fact when taken, but denied it at her Trial, she was found guilty of Felony.

*Elizabeth Richard*, was Tryed for stealing from *Sufan King* Widow on the 17th instant, one Silk Gown, value 20 *s.* a Stuff Petticoat, value 2 *s.* 6 *d.* a Scarf 8 *s.* &c. Ring and another Evidence swore that she had confest it before Justice *Rookwood*; but she denied it at her Tryal, so she was found guilty to the value of 10 *d.*

*William Burnett*, was Arraigned for a Misdemeanour in Lying and Slandering, *That there were Grown Armed men that were to come with the Late King James to quell a Rebellion into England*; the words were spoken in the Rainbow Tavern, being a Coffee house near *Whitehall*, on the 6th of *May* last, and that the Prisoner had a Commission to Act in carrying on the design, *and that there were 36 Battalions of Foot, and 63 of Horse*, to make up an unnumber'd the number aforesaid; *and that there were 30000 men ready here in England to join them.* The Evidence was not very positive, he was Acquitted.

*John Clegg* was Indicted for stealing a Silk Waistcoat and 2 Cravats from *Nathaniel Cook*, to which he pleaded Guilty upon his Arraignment.

*W—— W——* of St. Martin's in the Fields, was tried for Counterfeiting a Bope upon the Body of one *Elizabeth Morris*, aged about 20 years Unmarried, That the Prisoner there by Force did Ravish her Body, and carnally know her; the Evidence said that the Body was much shrunk, &c. The Prisoner in his Defence pretended the Woman took the Misdemeanour between [illegible] him, which the Court told it was nothing to the purpose; and his Witness gave the Character of the Woman, That she was a Woman of a dissolute Life, and of no good Name, having been a Companion of Idle and Lewd Fellows, &c. All which being well weighed, the Jury Acquitted the Prisoner.

*The Trials being over, the Court proceeded to give Judgment.*

*Burnt in the Hand*, 13.

Sarah Clifford, Katherine Matthews, Elinor Willow, Ann Graywood, Robert Starkey, John Ogle, Jane Greene, Elizabeth Gardner, Katherine Milton, Martha Thomas, Ann Terry, Mary Sealey, Mary Middleton.

*Ordered into Their Majesties Service* 15.

William Read, Reece Powell, John Gold, William Barker, Robert Wayte, Richard Sparks, George Middleton, Benjamin Ellifon, Thomas Allen, James Steward, Peregrin Parrot, John Dennis, John Wills, John Clegg, *and* Robert Johnson.

*Received Sentence of Death*, 20.

Walter Stephens, John Symmons, Francis Wynne, Mary Williams, Elizabeth Barbin, Jane Croucher, Grace Dempsey, Mary Palmer, Robert Burns, Thomas Floyd, Mat. Hunt, Francis Freeman, Edward Tibbalds, William Kingston, George Tapley, Daniel Taylor, H—— M—— William Martin, Robert Pratley, *and* Joseph Mansfield.

Grace Dempsey, Jane Croucher, *and* Mary Palmer, *were all found quick with Child.*

*To be Whipt*, 7.

Jon Noble, Thomas Hobbin, Elizabeth Carroll, Lucy Whale, Sarah Haswood, Elizabeth Round, Charles Swindale.

Mr. *Henry Hornyoroft*, Gent. pleaded Their Majesties most gracious and free Pardon upon his Knees in open Court for killing one Mr. *Cambell*; and performed the Court with Gloves after the usual Custom, &c.

*John Burke*, Gent. was ordered to find Bail for his Appearance next Sessions, upon suspicion of robbing one *Reymond Higginson* of divers Goods, &c.

*Alexander Milborn* for printing a Libel, gave Bail to answer the same next Sessions.

*Francis Salisbury* was fined 100 *l.* and to remain till he pay it.

*The next Sessions Sessions was order'd to begin at* Justice-Hall *in the* Old-Baily, *on* Wednesday *the* 31*st of* May, *by* 7 *a Clock in the Morning.*

God Save King *WILLIAM*, and Queen *MARY*.

*Sir* JOHN FLEET, *Mayor.*


## ADVERTISEMENTS.

*Liturgia Ecclesiæ Tigurinæ*: Or, The Book of Common Prayers, and Administration of the Sacraments, and other Ecclesiastical Rites and Ceremonies, usually practised, and solemnly performed in all the Churches and Chappels of the City and Canton of *Zurich* in *Switzerland*, and in some other Adjacent Countries; as by their Canons and Ecclesiastical Laws they are Appointed; and as by the Supream Power of the Right Honourable the Senate of *Zurich* they are Authorised, Established, and Commanded. With the Orders of that Church. Faithfully translated out of the *Helvetian* into the *English* Tongue, by *John Conrad Wecklin*, formerly Minister of the *French* and *Dutch* Congregation of *Sandwich* in the Isle of *Anholme* in the County of *Lincoln*: And now Minister of *Wrabbey* near *Langley* in the County of *Bucks*.

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Memoirs concerning the Campaign of Three Kings, *William*, *Lewis*, and *James*, in the Year 1690. With Reflections upon the Great Preparations of *Lewis* the 14th to assist his Designs, of *James* the IId. to Remount the Throne. And the proper Methods for the Allies to take, to hinder both.

*Printed for* Richard Baldwin *in* Warwick-lane *near the* Oxford-Arms.


*LONDON*: Printed for *Richard Baldwin*, near the *Oxford Arms* in *Warwick Lane*. 1693.

# The Proceedings on the KING and QUEEN's Commissions of the *Peace*, and *Oyer* and *Terminer*, and *Gaol Delivery* of *Newgate*, held for the City of *London*, and County of *Middlesex*, at *Justice-Hall* in the *Old-Bayly*.

On *Wednesday* the 31*st*. of *May*, and on *Thursday* and *Saturday* the first and third of *June*, and by an Adjournment again on *Thursday* the eighth of the same Instant 1693. *And in the Fifth Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, and *Oyer* and *Terminer*, Goal-Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Wednesday* the 31*st*. of *May*, and on *Thursday* and *Saturday* the first and third of *June* and by an Adjournment again on *Thursday* the eighth of the same instant, 1693. before the Right Honourable Sir *John Fleet*, Kt. Lord Mayor of the City of *London*, and Sir *Salathiel Lovell*, Kt. Recorder of the said City, with several others of Their Majesties Justices for the City of *London*, and County of *Middlesex*.

*The Jurors were as follow,*

| London Jury. | Middlesex Jury. |
|---|---|
| *Thomas Daniel.* | *Matthias Cupper.* |
| *Thomas Trevill.* | *Crisp Grange.* |
| *Thomas Wildman.* | *John Hynde.* |
| *Robert Boyce.* | *Robert Hynde.* |
| *John Trinley.* | *Paul Winkle.* |
| *John Foard.* | *William Webb.* |
| *Charles Bardy.* | *Henry Cripps.* |
| *Obadiah Hickman.* | *Charles Longland.* |
| *Richard Saywell.* | *John Holding.* |
| *Robert Adams.* | *Robert Longland.* |
| *James Parke.* | *Francis Barry.* |
| *John Dawson.* | *Emanuel Davis.* |

*The Proceedings were these,*

**Ann Foster** was arraigned for stealing a Tippet value 20 *s*. a Gown value 10 *s*. a Silk Scarf, and other small Goods, on the 7*th*. of *April* last, from *Martha Davis*, &c. to which she pleaded guilty.

**Mary Stephens** alias **White**, was likewise indicted and arraigned for Felony in stealing on the 28*th*. day of *April* last, in *London*, two Silk Petticoats value 40 *s*. one Crape Petticoat value 7 *s*. one black Scarf, and other Goods, from one *Francis Howard*, to which she pleaded guilty.

**Joseph Stitch** was arraigned for stealing on the first of *January* last 2 Silver Tankards value 7 *l*. a Coral 30 *s*. two Silver Spoons value 20 *s*. two pair of Ruffles value 30 *s*. three broad pieces of Gold, and 15 *l*. 15 *s*. in Money, from one *George Hawksworth* of the Parish of St. *Sepulchres*, to which he pleaded guilty.

**Thomas Granger** was arraigned for breaking the House of *Jeremiah Wayte* in *Great Fish-street* in *London*, in *November* last, and taking away three Silver Spoons value 30 *s*. three Sugar Castors value 5 *l*. one Suit of Head-cloths value 3 *l*. 6 Gold Rings, and 100 *l*. in Money, to which he pleaded guilty.

**Challis Searl** a little Youth, Aged about 12 Years, was tried for Felony in picking the Pocket of a Person unknown in *Fleetstreet* of 3 *s*. 6 *d*. There was no Evidence against the Boy, but his own Confession before the Justice, where he said that one *Constantine* being with him in the Croud in *Fleetstreet* the day Captain *Winter* was Executed, he bid him pick a Gentleman's Pocket; there were several Neighbours who appeared for the Prisoner, that declared that the Boy was not given to any ill disposition, never guilty of pilfering nor stealing, and that he went constantly to School, as was Attested by the School-master to whom he was a Scholar in *Fetter-lane*; he was acquitted.

**Mary Underwood** was tried for stealing a Gold Ring value 12 *s*. from Mr. *William Middleton* in *London*; she came into the Shop and cheapened the Ring, and dropt a Brass one in the stead thereof. Mr. *Middleton* found the Gold Ring upon her before she went off. The Prisoner said she had no ill design, and did it under a mistake, probably fancying to her self she might be under the benefit of the old Proverb, that *Exchange is no Robbery*; she was found guilty of Felony.

**William Wise** was indicted for stealing a Silver Tankard value 5 *l*. from one *Thomas Lucas* at the Cock behind the *Exchange*. Mr. *Lucas* said that he lost his Tankard, but he could not charge the Prisoner; other Witnesses made appear that one *Hyllary Basley* was most likely to have stole the Tankard, for he brought the Tankard to the Prisoner, and desired him to sell it for him, which he did, (not having any suspicion of him) for 5 *l*. 3 *s*. and gave the Money to the said *Hyllary*, well-knowing him to be a Workman to his Brother hard by, so it appeared that the Prisoner had no hand in the Theft; so he was acquitted.

**J—— B——** Widow, was arraigned for stealing Goods of a great value from *George Smith* in *London*, *viz*. 19 Yards of Silk value 9 *l*. one Flanders Lac'd Cravat value 20 *s*. 8 pair of Lac'd Ruffles value 20 *s*. with some other Goods, to which she pleaded guilty.

**Elizabeth Clark** was indicted for picking the Pocket of one Mrs. *Collins* on the 5*th*. of *May*. The Prisoner with another Woman who got away, met Mrs *Collins* in *Cheapside* and jostled her, and took out of her Pocket a Bag, wherein was contained 17 *l*. and 18 *d*. in Money, and a Handkerchief value 18 *d*. Mrs. *Collins* immediately missing the Money, the Prisoner was stopt, and seen to drop the Bag from her, which was proved by two sufficient Citizens that were accidentally standing near Mrs. *Collins* when the Fact was done; she could make no defence; she had been an old Offender, so she was found guilty of Felony.

**Thomas Hudson** alias **Pierce**, and **John Hudson** alias **Pierce** two Brethren, and both young Men, were indicted for stealing a Silver Tankard from one Mr. *Jones* in *Knight-Riders-street* value 5 *l*. They came both together to Mr. *Jones*'s House, called for Drink, and after they had drank three Tankards they escaped away with the Tankard but were soon taken; one of them, to put a better Colour on their design, was dress't up in Womens Apparel, which was found to be *Thomas*, who immediately confest the Fact upon his Arraignment, but *John* pleaded not guilty, and was tried for the Fact, and it appeared that he was at Mr. *Jones*'s with his Brother *John* so Apparell'd as aboveſaid; and that the Prisoner said to *John*, *My Dear make haste home*, and went away first with the Tankard; he could offer nothing to the Court material for himself, the matter being clear against him, so he was found guilty.

**Richard Merrick**, a Boy, and **Joseph Sarner**, were both indicted for stealing 17 Weather Sheep value each 20 *s*. the Goods of *Edward Walbot*, Esq; of *Harrow on the Hill*, and a Mare price 25 *s*. from *Moses Edling*, of the same Parish; the Boy was found upon the back of the Mare, and *Sarner* on foot, driving the Sheep along the Road towards *London*; *Sarner* declared for himself, That the Boy hired him to drive the Sheep in the name of his Master, who, he said, was one *Daniel Osborne* of *Pynner*, with whom he had lived heretofore, but not at the time when the Fact was done. The Boy said that *Sarner* hired him, and so they turned the Matter upon each other; and had no material Evidence to disprove or invalidate the Evidence for the King, but no Evidence appeared that *Sarner* had any hand in stealing the Mare; So he was acquitted of that, but was found guilty of stealing the Sheep, and *Merrick* both of Sheep and Mare.

**Thomas Whitmore**, of Finchly, was tried for Felony, in stealing 4 *s*. in Money from one *Gober* on the 8*th* of *May* last; *Gober* swore that he met the Prisoner in his House, he and his Wife having been abroad, and found the Money about him; the Prisoner resisted against the said *Gober*, and threw him upon the Ground, where after having struggled a while, *Gober* was too hard for him; he denied it, although there were other Corroborating Witness against him; and there was a pair of Buckles found about him, which was owned by the Prosecutor; and others swore that they see them fight; So though he had the impudence to deny it, yet he was found guilty but to the value of 10 *d*.

**Prudence Sanders** and **Elizabeth Pillet**, were both tried

tried for Felony, in ſtealing Eleven Flaxen Naplins value 5 *s.* two pair of Sheets, five Shirts, three Smocks, *&c.* from *Arthur Cole* of *Heſton*, near *Hounſlow Heath*; the Linnen was hang'd out to dry, and was ſtole off the Hedge; which Linnen was found upon them where they were taken, which was in a little old Houſe uninhabited, where they were lying upon a Wad of Straw; they both confeſſed that they were coming out of the Countrey to *London*, and Poverty pinching them, cauſed them to take the Linnen off the Hedge; They were found guilty to the value of 10 *d.*

**William Wathwayte**, of St. Anns Weſtminſter, was tried for ſtealing a Steel-hilted Sword value 2*s.* 6 *d.* a Cane 5 *s.* a pair of Gloves value 4 *d.* The Priſoner was met running down Old *Soho*, and was ſtopt, and the Goods were found upon him; all which he could not deny; he alledged that the Goods were given him by a Soldier, but had no Witneſs to prove it; So he was found guilty of Felony.

**Mary Botey**, Wife of **John Botey**, of St. Martins in the Fields, was tried for ſtealing (on the 29*th* of *April* laſt) one pair of Flaxen Sheets value 10 *s.* a Waſtcoat, ſome Pillow-bears and Bolſters, and other ſmall Goods, from one *Robert Dowtey* of *Drury-Lane*, who ſaid, That he let a Room to a man, who went for her Husband, where the Goods were; the man went away, and after that ſhe went away, and awhile after ſhe was taken in the Street near the place; ſhe pleaded in Court that her Huſband had taken the Goods, and ſold them, and was gone to Sea; but ſaid, that when he came back, he would give them ten times the value of them; there was none could diſprove, but that the Perſon was her Husband that had ſo taken, and ſold the Goods; So ſhe was acquitted.

**Habell Symmons** was tried for ſtealing three Gold Rings, value 3 *l.* and 41 *s.* in Money from one *Mary Poſtern*, Widdow, of the Pariſh of *Chriſt*-Church; The Evidence was Mrs. *Poſtern*, and others; *Poſtern* ſwore, That ſhe entertained the Priſoner, being a Servant to her Brother, into her Houſe, and on the 7th of *May* laſt ſhe miſt her Rings and Money, ſhe leaving her in her Houſe when ſhe went to Church, but ſhe could not be ſure that ſhe took it, no further than no Perſon was in the Houſe beſides her, at that time when ſhe loſt her Rings and Money; it was ſworn by one Witneſs, that the Priſoner was ſeen at a Goldſmith's, weighing a Ring, but he could not ſay it was the Proſecutor's; and two others ſaid, that they knew it to be ſo by the Poſey, which was thus, (*Chriſt and thee my Comfort be*); but the matter ſeemed to ariſe ſomewhat from a Quarrel that had been between them: And none was poſitive that the Priſoner ſtole the Rings, *&c.* She was acquitted.

**B—— C——** was tried for a Treſpaſs, in putting off Falſe Money; the Evidence ſwore that the Priſoner had offer'd one bad Half-Crown at one time, and three at another, this was done between *Michaelmas* and *Chriſtmas* laſt; there was a Brazier, who declared, that thoſe Neighbours who had received the bad Half-Crowns of her, brought divers Half-Crowns to him, there being more Braſs in them than true Mettal, ſo more properly to be applied to a Brazier, than to a Goldſmith; the Priſoner called one Witneſs, who declared upon Oath, That ſhe had offer'd very good Money to thoſe ſhe had any dealing withal; and that they choſe to take that Money rather than the other, *&c.* it favoured of Malice; She was acquitted.

**Mary Allen** and **Mary Pead** were both tried for Felony, in ſtealing from *Mary Morris* in *Holborn* (on the 25*th* of *July* laſt) four Gold Rings value 50 *s.* one Sable Tippet value 5 *s.* 3 Pieces of Gold value 3 *l.* 10 *s.* a Guinea, and 10 *s.* in Money ſhe ſtole at the ſame time from Mrs. *Elizabeth Harwood*, a Cloth of Gold Petticoat value 40 *s.* a Silk Gown value 14 *s.* another Petticoat value 40 *s.* and from Mrs. *Jollen* a Cloth Gown, and a Silk Gown, *&c.* *Morris* ſwore, That ſhe being entruſted with Mr. *Lee*'s Houſe, her Maſter, near *Bedford Wall*, whilſt he was in the Countrey, and having ſome acquaintance with *Pead*, ſhe gave her leave to lie in the Houſe with her, in the interim of which time ſhe robbed her, and the two other Perſons abovementioned, who were Perſons belonging to the Family, and lived in the ſame Houſe; as for *Morris* ſhe could never get any of her Gold again, but the two Gentlewomens things were found at *Coates*'s the Pawn-brokers in *Shoo-Lane*; the Priſoner *Allen* denied the Fact; *Pead* ſaid, That the ſaid *Morris* lent her the Cloathes to pawn to raiſe Money to lend her, to go to her Husband to *Portſmouth*; but that was but a feigned Story, they were both found guilty of Felony.

**Mauldin Bevell** of St. James's Weſtminſter, was tried for Robbing *Robert Greydon* of a Lac'd Tippet value 3 *l.* a Muſlin Handkerchief with Silk, and Laced with Flanders Lace value 3 *l.* a Silver Girdle, a Muff, a Gawſe Hood, 10 Yards of Ribboning, *&c.* this was done by the Priſoner on the 10*th.* day of *May*, ſhe being a Servant to Mr. *Greydon*, ſhe conveyed the Goods in a Paſteboard Box out of the Houſe, and left them at a Herb-ſhop in *Pall-mall* over againſt the ſaid Mr. *Greydon*'s Houſe, which were found there, and owned by the Proſecutor to be his Goods, particularly a Fan which was very remarkable was found in her hands. The Priſoner denied the Fact, and ſaid ſhe knew not what was in the Box; all this would not ſerve her turn; ſhe had ſome Witneſs, who ſaid ſhe had liv'd honeſtly formerly in the Countrey, particularly in the Service of Sir *James Herbert* in *Monmouth-ſhire*. The Jury conſidered of the Fact according to their Evidence, and there being nothing found to be taken by her but a few ſmall things found in the Box; ſhe was found guilty but to the value of 10 *d.*

**Lambeth Whaley** was tried for breaking the Houſe of *John Knewes* of *Hackney* on the 29*th.* of *April* laſt. The Evidence ſwore that he broke open the Window and took a Flitch of Bacon value 18 *s.* about Ten a Clock at Night, and he ſold it to a Woman in *Petticoat-lane* for 7 *s.* where the Proſecutor found it which he did confeſs when taken, beſides he was met in the way with the Bacon under his Arm the ſame Night. It was not dark, ſo he was acquitted of the Burglary, but found guilty of Felony.

**Ann Bayley** was arraigned for ſtealing 5 Yards and a quarter of Tabby value 35 *s.* from one *Edward Harris*, to which ſhe pleaded guilty.

**Mary Harris** alias **Gray**, was arraigned likewiſe for ſtealing a pair of Holland Sheets, a pair of Callico Window-Curtains, *&c.* from *Dorothy Wood* Widow, to which ſhe pleaded guilty.

**John Evans, Andrew Evans,** and **John Bowman,** were all three indicted and arraigned for ſtealing three Weather Sheep value 5 *l.* on the 4*th.* of *May* laſt, the Goods of one *John Moor* of *Thiſtleworth*, to which they all pleaded guilty.

**Morris Morris** a young Youth, was tried for ſtealing 800 Half-pence and Farthings, the Goods of *John Locker*. The Boy was left in *Locker*'s Shop in *Leaden-hall*, being wont to go of Errands for her, ſhe did not miſtruſt him, but he took away the Farthings, and when he was before the Right Honourable the Lord Mayor of *London* he confeſt to have taken them, and that he and another Boy were to divide them the next Morning; he was found guilty of Felony to the value of 10 *d.*

**D—— P——** of the Pariſh of St. *Paul's Covent-Garden* Gent. was indicted and tried for the Murther of one *Ambroſe Cave* Eſq; giving him one Mortal Wound near to his ſhort Ribs of the depth of Six Inches upon the 21*ſt.* of *February* 1689. of which he died the day following, upon which Mr. *D* —— abſconded until this time, hearing that one Mr. *Stanley* was dead, who was the chief Witneſs againſt him. The Counſel for the King opened the Indictment to the Gentlemen of the Jury, and told them that the ſaid *Cave* was Barbarouſly Murdered. The Evidence was firſt Mr. *White* the Coroner, who declared that he ſate upon the dead Body, and that one Mr. *Stanley* who is now dead was the chief Witneſs of the matter of Fact, and his Examination was read in Court, which ſet forth that Mr. *Cave* that was kill'd, and he, and Mr. *D* —— were all at the Chocolat-houſe in *Bridges-ſtreet* in *Covent-Garden* on the day abovеſaid, and Mr. *D* —— preſently charged Mr. *Cave* with taking off his Hat and Periwig on the Night before. Mr. *Cave* would not anſwer the queſtion at firſt, but after did, ſaying he did do it; then Mr. *D*—— drew his Sword upon him, and firſt ſtruck him over the Head in a violent manner, and then Mr. *Cave* endeavoured to avoid the Priſoner's fury and went back, but Mr. *D*—— followed him and gave him the Wound aforeſaid, of which he died; there were others that ſaw him in the Room. The Information of Mr. *Stanley* was allowed as good Evidence in Law. The Priſoner being asked what he had to ſay, he anſwer'd, That he was not the man that did it, and there were others of his Name in Town; he utterly denied the Fact, and preſumed that there was no Evidence that affected him; being asked again if he could prove where he was at that time when Mr. *Cave* was kill'd, and if he had any Witneſſes to call, to which he replied, That he had none, and no more to ſay, being very willing to ſubmit himſelf to the Judgment of the Court, the Jury giving this Reaſon for their Verdict, that becauſe *Cave* did acknowledge to Mr. *D* —— that he was the Perſon that did ſo affront him, it therefore was a freſh provocation, and ſo they found him guilty of Manſlaughter. Not burnt, being remitted by the Act.

**Francis Hilliard** was indicted and tried for ſtealing from *Ann Smith* a Diamond value 5 *l.* on the 20*th* of *Auguſt* laſt; there was no Evidence came againſt him; So he was immediatly acquitted.

Thomas

**Thomas Carter**, Gent. and **Ralph Nichols**, Yeom. were both indicted upon two Indictments; the firſt, for the Murther of one *Philemon Queyne* a Soldier, the ſecond, for ſtabbing of him. The Counſel for the King opened the Indictment, then the Witneſſes were called, and ſworn, and then gave this Account; That on the 27*th* of *May* laſt the Priſoners were at *Enfield*, at the *Green Dragon*, and there *Nichols* ſat on Horſeback, drinking, and there was one *Thomas Caſey*, a Soldier, coming by them, deſired them to make way that he might come by, which they refuſed, damning, and ſwearing great Oaths; and the ſaid *Queyne* interpoſing, they made two paſſes at him, upon which the Deceaſed cried out; then they followed him, he running from them to ſave his life, and fell down upon him, and ſtampt upon his Breaſt, and Head, crying out, *God damn him, is not the Dog dead yet?* there were ſeveral other Evidences that gave the ſame Account, how that the Priſoners both purſued the ſaid *Queyne*, and *Carter* was ſeen to run him into the Belly, upon which he dropt down dead, and the blood guſhed out at his Mouth by the force of *Carter*'s trampling upon him; this was the Evidence for the King. The Priſoners were demanded what they could ſay in their defence; *Carter* ſaid, That he being coming out of the Neceſſary Houſe, he ſaw ſeveral of the Soldiers about *Nichols* with their Swords drawn, and he coming to his aſſiſtance, the Deceaſed ſtruck at him with a Sword, to ſave which blow, he held up his Arm, and received a wound from him upon the ſame (which he ſhewed in Court); then he retreated to ſome adjacent Pales, and ſet his back againſt them, and then the Deceaſed coming after him, he drew his Sword to defend himſelf, which he called ſome Witneſſes to atteſt; *Nichols* alledged to the ſame purpoſe, how that the Soldier *Caſey* challenged him to fight; and told him, that he deſerved to be knocked off his Horſe, for that his Horſe ſtood croſs the Gate-way, which hindered the Soldiers paſſage, which he had Witneſs to atteſt; and that there were almoſt 20 Swords drawn upon them at the latter end of the Fray; and if they had not made oppoſition, they might have been killed, *&c.* So the Court directed the Jury, in point of the Evidence on both ſides; telling them, That there was no doubt to be made, but that *Queyne* was kill'd by the hands of the Priſoners; but the Evidence was not full enough to make it Murther; So they were both found guilty of Manſlaughter, and were acquitted upon the Statute of Stabbing.

**Ann Harris** and **Eſther King** were both tried for Picking the Pocket of one Mr. *Thomas Harriſon*, of *London*, of three Guineas, on the 17*th* of *May* laſt; Mr. *Harriſon* was going up *Cornhill* in the Evening, and the two Priſoners came to him, and askt him to give them a Pint of Wine; he ſaid, he did not much mind them; but however, he went into the *Nags-head*, in *Leaden-hall-ſtreet*, and they both followed him in, and when he ſaw them, he called for a Pint of Wine, and told them, that he had received 100 Guineas lately, which ſet them preſently at work to examine his Pockets, which they did after this manner; ſays *Ann Harris*, This Gentleman ſeems to be good humour'd, I will ſit nearer to him, which ſhe did, and he took her hand in his Pocket, and the Guineas dropt upon the ground; and when they were before the Juſtice, there were ſix found upon *King* in her Stockings at the bottom of her Foot, and three upon *Harris*; and ſome Clippings were ſqueezed out of *Harris*'s Throat, which ſhe had endeavoured to ſwallow, as was preſumed, which ſhe ſaid was a Powder ſhe was wont to take for Fits that ſhe was troubled withal; ſhe ſaid in her defence, That Mr. *Harriſon* gave her the Guineas to lie with her, which ſhe refuſed; but however, was willing to keep them being frankly given her; it was not proved that *King* pickt the Pocket, but had the Guineas given her by *Ann Harris*; *King* had ſeveral of her Neighbours appeared for her, who ſaid, that ſhe had behaved her ſelf very fair heretofore; but as to her late behaviour, they could give no good account; *Harris* had no Friend for her Credit; but on the contrary, the Conſtable gave the Court an account, that ſhe was a drinking, ſwearing, debauched Woman; So they were both found guilty of Felony.

**Morris Poor** who was nominated the laſt Seſſions in the Indictment againſt *William Martin* and *Robert Preſley*, ſince Executed, for Robbing Sir *John Friend* of *Hackney*, was now Arraigned, for that he, together with the aforeſaid Perſons, did break the Houſe of the aboveſaid Sir *John Friend* on the 15*th*. day of *March*, and carried away two Silver Monteths value 50 *l.* two Silver Baſons value 40 *l.* three Salvers 15 *l.* a Beaker 10 *l.* two Jarrrs 20 *l.* 8 Candleſticks value 18 *l.* two Silver Candleſticks more value 4 *l.* two Chafingdiſhes 3 *l.* two Tumblers 4 *l.* ſeven Salts 7 *l.* a Mug 3 *l.* two Cups 3 *l.* 8 *s.* two Chamber-pots 8 *l.* two Head-pieces value 10 *s.* two pair of Snuffdiſhes 12 *l.* four Silver Tankards 20 *l.* ſix Porringers 12 *l.* thirteen Spoons value 4 *l.* 15 *s.* twelve Silver Spoons more value 6 *l.* ſix Silver Combs 25 *s.* two Plates 6 *l.* one Sugar-box 50 *s.* a Muſtard-pot 20 *s.* a Silver Funnel 20 *s.* a Spoon 2 *s.* 6 *d.* another Spoon 2 *s.* 6 *d.* a Silver Skillet value 3 *l.* two Watches 12 *l.* eleven Gold Rings value 12 *l.* a Silver Tobacco-box 20 *s.* a Gold Ring ſet with a Diamond value 20 *l.* 100 Broad pieces of Gold value 107 *l.* 10 *s.* the Plate and Money of Sir *John Friend* as aboveſaid; being asked what he had to ſay, whether guilty or not guilty, he anſwered, that he was guilty of the whole Indictment.

**Richard Whitworth**, **William Clement**, and **William Nixon**, were all three tried for breaking the Houſe of *Thomas Beacon* the Elder of *Stepney*, on the 21*th*. day of *May* laſt paſt, and taking away threeſcore and nine pieces of Coined Gold, one piece of Broad Gold, another piece value 11 *s.* 9 *d.* and 180 *l.* in Moneys numbred; the matter of Fact was thus, *Whitworth* was Servant to Mr *Beacon*, he being a Brewer, and whilſt Mr. *Beacon* was abroad, and only leaving his Son and Daughter, and ſome Servants in the Houſe, the Houſe was broke open, and *Whitworth* confeſt that they had been long a contriving the matter, and that he was not in the Robbery, but that the Fact was done by *Clement* and one *Belcher*, and another that is ſince fled, one *Engliſh*; and Mr. *Beacon* declared further upon Oath that there were ſeveral pieces found about *Whitworth*, and 29 Guineas were found upon the Beds-Teſter in the Room where *Whitworth* Lodged by his direction, and 6 *s.* 6 *d.* was found about *Nixon* in his Pocket, one of which Shillings had a particular remark by which Mr. *Beacon* knew it; and 10 *l.* more was found upon *Nixon*'s Beds-Teſter, which Mr. *Beacon* owned to be his; it was ſealed up with their own Seal, which *Nixon* ſaid was given him by *Belcher*; as to *Clement* he was taken in *Leaden-hall-ſtreet* for another Fact, and being carried before the Lord Mayor, there was 26 *l.* found in his Cuſtody, which Mr. *Beacon* owned to be his Money. The Priſoner *Whitworth* denied the Fact, and ſaid he knew nothing of the Robbery, but the Money was given him, which he kept for his Maſter; *Nixon* denied all the matter of Fact too; *Clement* alledged that he was a Houſekeeper at *Reading*, and that the Money in the Bag marked *F. E.* was lent him by a Man whom he did not know, upon the Leaſe of his Houſe, it appeared farther that he had been Burnt in the Hand before for a piece of Cloth he ſtole from one *Aſwater* of *Reading* at the laſt Summer Aſſizes; and a Silver Seal was found about him at *Reading*, which he ſaid he bought of a Gentlewoman whom he did not know neither, all which was lookt upon but as vain excuſes: Then the Jury was Charged, and having conſidered, they found them all three guilty of Felony and Burglary.

**Thomas Kent**, **Devereux Beaſant**, and **John Barker**, were all three tried for Felony and Burglary in breaking the Houſe of *Ralph Tempeſt* of St. *Paul*'s *Covent-Garden*, on the 25*th*. of *May* laſt; they took away about the Hour of Ten in the Night 8 Silver-handled Swords value 8 *l.* another Sword 3 *l.* 6 other Swords value 3 *l.* Mr. *Tempeſt* and his Man ſworn that the Shop was broke open about Ten a Clock, but by whom they could not tell; the Conſtable ſwore that he found the Priſoners at the *Two Brewers* in *Long-Acre*, and in their Cuſtody there was a dozen new Swords, and a Hanger, and ſeveral pieces of Cloth; and they were hiding a Sword in the Mantle-Tree, all which Goods were owned by the Proſecutor to be his, and were produced in Court as a further Evidence againſt them. *Kent* flatly denied the Fact, but had no Evidence; *Barker* ſaid, he came to drink with the Priſoner *Kent*, being his Acquaintance, and that he knew nothing of the Swords; *Beaſant* was taken in their Company, and made no defence, but none could ſay he was at the breaking of the Houſe, ſo he was found guilty of Felony only, but the other two of Felony and Burglary.

**Edward Gibſon** was tried for ſtealing a Marble Image of a Dog value 40 *s.* from one *John Ragoone* the fifth day of *April* laſt, but there was no Evidence againſt him, he was acquitted.

**Robert Barrow** was tried for ſtealing a Horſe from Mr. *Thomas Griffith*, of the Pariſh of St. *Pancras*, *Middleſex*: Mr *Griffith* loſt a Horſe in *February* laſt, and ſaid that he found the Horſe upon the Priſoner, but could not ſay he ſtole it; the Priſoner made out that he bought the Horſe in the Countrey, and that he did uſe the Horſe, driving him about the Streets in his Coach for two months together, he being an Hackney Coachman, and had the Character of an honeſt man, and a good Houſekeeper. So he was acquitted.

**Mary Pay** and **Elizabeth Cox** were indicted for ſtealing a Mantua-gown value 8 *s.* from *John Dighton* of St. *Martins in the Fields*; *Cox* confeſſed the Indictment, but *May* pleaded Not-guilty, and was tried; the Evidence was only Mr. *Dighton*, who ſaid, That two Women came to his Shop to cheapen Goods, and one of them pretended to be in a Fit, and whi'

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ſome water was fetching to caſt in her face, they got away the Gown, but he would not, or could not ſwear to the Priſoner at firſt; ſo it being ſuſpected that he had made up the Matter, he was taken into Cuſtody by Order of the Court; but afterwards he better conſidering the Face of the Woman, was poſitive; and ſhe was found guilty.

**John Edwards** was tried for High-Treaſon, in Clipping the Lawful Coin of this Kingdom of *England*; he was taken the 25*th* day of *May* laſt at the *Griffen* upon *Windmill-Hill*, and was ſeen to rub a piece of Money upon a Tyle, through a Crevas of the Door, which Tyle was produced in Court, and a pair of Sciſſers were found in his Pocket, and two Sixpences were produced in Court, which a Woman ſaid ſhe took for Drink; the Priſoner denied it, and ſaid he had a Half-Crown to pay for his Drink beſides the Sixpences, and there was nothing elſe found about him that was ſuſpicious: So he was acquitted.

**Alexander Milbourne** a Printer, was tryed for Compoſing and Printing a Scandalous Libel, with an intent thereby to diſturb the King and the Preſent Government, in which falſe and pernicious Libel there were ſeveral Virulent and Malicious Expreſſions; the Priſoner was ſeen to put the Libel under a Bolſter of a Bed, which he owned to be his at the ſame time, which was proved by Two Witneſſes, but they might be miſtaken; and Mr. *Milbourne* by his Counſel called ſeveral good Men for to vindicate his Reputation; one of which was the Miniſter of St. *Sepulchres* Pariſh where the ſaid *Milbourne* lived, who ſaid that he always apprehended him to be a very honeſt, diſcreet Perſon, and a man well-affected to the preſent Government, and that he always frequented the Church; the ſame was Corroborated by ſome Bookſellers with whom he had dealings, all which being duly conſidered by the Court, he was Acquitted.

**Thomaſin Hawley** was tried for ſtealing a Holland Shirt value 4 *s.* but the Evidence could not bring it home upon her; ſhe was Acquitted.

**Suſan Phillips** was arraigned for ſtealing a Sattin Cap value 10 *s.* from *Henry Wood*, to which Indictment ſhe pleaded guilty.

**Elizabeth Adams** was likewiſe arraigned for ſtealing a Cloth Coat value 25 *s.* a Waſtecoat 10 *s. &c.* to which ſhe pleaded guilty.

**John Abbot** and **Sarah Abbot** his Wife, were tried for a Miſdemeanor in buying, getting, obtaining and acquiring a great number of Clippings about 20 Ounces, which was cut off the Currant Coin of *England*, and ſhewed to the Court. The Evidence for the King ſaid, that the Clippings were found in Mr. *Abbot*'s Compting-houſe in a Drawer, on the 24*th*. of *March* laſt, and ſome Clippings were found in a hole in the Chamber; the Houſe of *Abbot* being ſearcht upon ſuſpicion of Felony, about my Lady *Dartmouth*'s Goods, that ſhe was Robbed of not long ſince. The Priſoners by their Counſel called ſeveral Evidences, firſt to prove that he was out of Town. ſecondly to his Reputation, who declared, that he was out of Town when the Houſe was ſearcht, and that he had a Partner one *Goring*, who is ſince abſconded, that he left in the Houſe; others declared, that he was a Perſon of a fair Credit and Reputation, and a fair Dealer, and a Reputable man amongſt his Neighbours, but then there was other Witneſſes for the King, who Swore, that they ſaw him buy Clippings ſeveral times, ſome at his own Houſe, and ſome at the *Crown* Tavern near *Cripplegate*; one Witneſs, a Woman, Swore, that ſhe had received Money of Mr *Abbot* for Clippings, ſo he was found guilty of the Indictment, but his Wife was acquitted.

**John Webb** was tried for ſtealing a Sattin Petticoat value 20 *s.* a Flanders Lace Scarf 8 *s.* a Hood value 8 *s.* on the 17*th*. day of *October* in the Fourth Year of the Reign of King *William* and Queen *Mary*, which Felony he confeſt before the Juſtice of Peace, and that he took the Goods out of the Houſe of *Roger O Neale* in *Pepper-ſtreet* in *Southwark*, and that he lifted the Door off the Hinges, which in Law was a breaking of the Houſe, but yet he was not found guilty of Burglary, but of Felony only.

**Elizabeth Smithſon** was tried for ſtealing from *Thomas Cooper* on the 14*th* of *May*, one Alamode Hood value 10 *s.* a Holland Apron 4 *s.* and a Womans Sleeve value 12 *d.* The Evidence Swore, that the Priſoner and a Man came to drink at *Cooper*'s Houſe, and after they were gone the Goods were miſſing, but none could Swear that the Priſoner ſtole the Goods, and ſhe had good Witneſs on her ſide, ſhe was acquitted.

**Richard Hurt** was tried for a Miſdemeanor in getting, keeping and concealing in his Cuſtody ſeveral Clippings contrary to the Law, to the number of about 70 Ounces; they were found between Mr. *Hurt*'s Houſe, and the next in the Yard of the Houſe in a Basket, and in his Houſe below Stairs were found a ſmall parcel more, in a hole in a Cloſet up one pair of Stairs, which were all produced in Court. The Priſoner ſaid that he knew not how the Clippings came into his Houſe, and called his Neighbours, who gave a fair account of his Life, and that he was an honeſt Man, and had known him ſo to be for many years, but yet he was found guilty.

**Alice Randall** was tried for keeping a diſorderly Houſe, and entertaining Evil-diſpoſed Perſons therein. The firſt Evidence Swore, that he went to the Houſe one Evening, and being up Stairs, the Priſoner brought him a brisk young Girl, who preſently had the Impudence to pull up her Coats, and laying her Hand upon her Belly ſaid, *Here's that that will do you good, a Commodity for you, if you'll pay for it you ſhall have enough of it*; with that he took his Cane, and gave her two or three good drubs (as he called them); ſhe was found guilty of the Indictment.

**Elizabeth Elye** was likewiſe indicted for keeping a Houſe of evil Repute. The Evidence Swore, that oftentimes there was Swearing, Roaring and Damning all the Night long, drinking to ſuch a pitch, that they would fall out, and cry out Murder. Her Houſe is in *Flower-de-luce Court* in *Fetter-lane*, where there have been ſeveral Lewd Women ſeen to reſort, which did great damage not only to the Youth of this City, but to their Maſters alſo; for the Witneſs Swore that there was a Mercer's Apprentice in the Town that uſed to bring his Maſter's Goods to the Priſoners, and give them to her, and other Lewd and Wicked Women; ſhe was found guilty.

**Leonard Po-Jenner** and **Arthur Remmington** were both tried for Publiſhing a moſt baſe and ſcandalous Libel, Entituled, *The Kings Speech to his Parliament*. The Witneſs ſwore, that he being at *Clench*'s Coffee-houſe in *Mitre-Court*, in *November* laſt, when the Parliament firſt ſate, comes in Mr. *Jenner*, and pull'd out the Libel, and askt him if he had ſeen it, and gave it into his Hand, telling him, it was the King's Speech to his Parliament, the Witneſs read it, and told him that it was not the right Speech, and askt Mr. *Jenner* how he durſt carry ſuch Papers; in the mean time Mr. *Remmington* came into the Room, and would have had it from him, but he would not; then he went away and came again, and askt him for it again, telling him that he had a Quarrel againſt him, becauſe he kept his Paper from him, adding, that it was his Cloſet-goods. The Counſel for the Priſoner argued that Mr. *Jenner* found the Paper upon the Table, and called ſeveral Credible Gentlemen, who gave account that Mr. *Jenner* was well-affected to the preſent Government, and had often drank King *William* and Queen *Mary*'s Health heretofore, but lately he uſed to drink it by the Name of the King's Health, without naming King *William* and Queen *Mary*; ſo in the end they were both acquitted, Mr. *Remmington* becauſe no Evidence affected him.

**J—— B——** was a Second time indicted for Feloniouſly taking from *John Preſſmore* on the 15*th*. day of *September* laſt, one Callico Petticoat value 10 *s.* and another with a Thread Lace value 5 *s.* to which ſhe pleaded guilty.

**Joſeph Stitch** was indicted again, for that he did break the Houſe of one *Brooks* of St. *Giles*'s *in the Fields* the 26*th*. of *April* laſt. no Perſon being therein, about Eight a Clock in the Morning: The Priſoner confeſt when he was taken at *Wapping*, that he did break the Houſe, and took a Sattin Petticoat value 40 *s.* a Beavor Hat 40 *s.* 36 Napkins 20 *s.* and 5 *l.* in Money and that he might have the better opportunity, the Priſoner took an empty Houſe next Door to Mr. *Brooks*; he ſaid that a Man, one *Peter* was with him, but he did not know his Sirname, and one *Bonn* and his Wife were aſſiſtant to him in the Robbery who are fled; he ſaid at the Trial that he did take the next Houſe, but he did not break the Houſe, neither did he know how it came to be broke, nor did he confeſs it when taken, but the King's Witneſs added, that he did not only confeſs it, but ſaid he was a dead Man; he was found guilty of the Indictment.

**Suſan Boyeman** was tried for ſtealing a Silver Tankard value 8 *l.* a Cup value 15 *s.* and 32 *s.* in Money from one *Thomas Francis* of *Wapping* on the 30*th*. of *March* laſt was 12 Month. The Evidence was Mrs. *Francis* and others, who depoſed, that the Priſoner came to her Houſe to bring her a Roſe-Tree, and went up Stairs, and after ſhe was gone the Plate and Money was miſſing, which was found Pawn'd at a Broker's in *Ratcliff Highway* by the Priſoner; ſhe ſaid Mrs. *Francis* gave her the Plate to Pawn, which was confirmed by ſome Witneſſes on her ſide; there was no Colour of Evidence to find her guilty, ſhe was acquitted.

**John Earl** a Youth, was indicted for killing one *William Preſſer* in the Pariſh of St. *Mary Savoy* on the 25*th*. of *May* laſt, giving him a Mortal Bruiſe on the left part of the Head, of which he inſtantly died. The matter upon Evidence appeared

ed thus, the Parish Boys aboveſaid an ...ments Boys were going in Proceſſion, and they fell ov... ad the Priſoner was ſeen to knock the ſaid *Proſſer* down with a Stick, holding it in both Hands. The Surgeon ſaid that the deceaſed's Skull was broke, which put him into a Feavor and Convulſion, of which he died. The Priſoner called ſome Youths, who gave account of the matter of Fact, how that the Priſoner was purſued by the Boys, and put to great extremity to ſave himſelf from the danger, ſo he was found guilty of Man-ſlaughter.

**Bridget Laytus** a Mantua maker, was tried for a Miſdemeanor in Compoſing and Publiſhing ſalſe and Seditious Libels, one called, *A Song made upon the King*, another, *A Song made upon the Queen*; the Burden of which Songs were, *A dainty fine King, A dainty fine Queen, indeed, indeed.* The Witneſs Swore that ſhe ſaw her write the Papers, and was heard to ſing the Songs, and that the Priſoner did not deny it when firſt taxed about it, and ſaid, that ſhe thought it was no harm to ſing them; the Priſoner by her Counſel called ſome Evidence to her Reputation, who gave the Court an account ſhe workt hard for a Living at her Trade, and that they never heard her ſpeak againſt the Government, nor was any ways diſaffected, but that would not ſerve, ſhe was found guilty.

**John Anderſon** was indicted for breaking the Houſe of *Mary Corbet* of St. *Giles's in the Fields* in the third year of the King and Queens Reign. The Evidence declared, that the Houſe was broke open about Seven or Eight a Clock at Night, and the Goods loſt were 11 Guineas, a Broad piece of Gold value 20 *s.* a Spaniſh Piſtole value 9 *s.* and 16 *s.* in Money. Mrs *Corbet* Swore that ſhe was abroad at the *Temple* being a Laundreſs, and when ſhe came home about Nine a Clock at Night ſhe found the Lock of the Door pickt, and the Door ſtanding upon the Latch, and her Gold and Money gone, but ſhe could not charge the Priſoner home; other Witneſs ſaid, *viz.* a young Woman, that the Priſoner offer'd her Five Guineas, and would have enticed her to go in the Countrey to live with him, *&c.* but none could Swear it was the Proſecutor's Gold; The Evidence for the Priſoner declared, that about the time the Robbery was ſaid to be done, he Lent the Priſoner 11 *l.* part of it Gold and part Silver, ſo he was acquitted

**John Randall** was indicted for a Robbery upon the Highway committed upon one *David Moe* on the 28*th* of *May* laſt paſt; the ſaid *Moe* and one more were walking in the Evening in *Southampton Fields*, and the Priſoner and three more Rogues met them, and bound them, and took from *Moe* a Cloth Coat value 50 *s.* a Waſtecoat value 30 *s.* a Hat value 15 *s.* and ſeveral other things from the other Perſon, beſides 20 *s.* in Money from *Moe*. The Evidence was very ſure that the Priſoner was one of the Men that ſet upon them. The Priſoner called ſome Women, *&c.* who ſaid that he was in another place at the ſame time, but their Evidence was not Credited by the Jury, becauſe they were found in ſeveral Stories, ſo were entrap'd by the Court; he was found guilty.

**C—— C——** was tried for Felony in ſtealing a Damask Table-cloth value 5 *s.* three Smocks value 30 *s.* two Waſtecoats value 5 *s.* and divers other Goods, which was fully proved; ſhe had nothing to ſay againſt it, but ſtood ſilent, ſhe was found guilty.

**Katharine Harwood** was tried for making an Aſſault upon one *Hannah Jones*, and putting her in fear, and taking a Ring off her Finger, which ſhe run away with, but was taken about a week after; the Priſoner call'd ſome witneſſes to her Reputation, *viz.* her Neighbours where ſhe lived, which was at *Fulham*, and that the Priſoner never fled away; it was lookt upon but as a trifling matter; She was acquitted.

**Thomas Shakemaple** was tried for High-Treaſon, in Clipping the Currant Coin of *England*: Two Perſons who were Evidence for the King, ſwore, That as they were drinking at an Alehouſe in *Holborne*, the Priſoner came by, and they having a ſuſpicion of him by information, they ſtopt him, and took him into the *Horn-Tavern*, and drank a Pint of Wine; and after ſearching of him, they found a large Paper of Clippings, and a Paper of Filings in his Pocket, near 80 Ounces, which he told them he found in a Ditch coming from *Tatnam Court*; ſo he ſaid upon his Trial too: He had ſome Witneſs, who ſaid, they always took him to be a very honeſt man; and of late he was a Perſon that dealt in Second-hand Goods, and ſold them for a Gentlewoman, and employed himſelf beſides in getting in bad Debts for any body that did employ him, and that he had lived in good Families, and in good Repute, and was intruſted to the value of 6000 *l.* at a time; which gave ſatisfaction to the Jury, that they found him Not guilty.

**John Dudley**, a Nailer of Stepney, was tried for the Offence of High-Treaſon, in Cutting, Clipping, Filing, and Diminiſhing the Lawful Coin of *England*; the King's Witneſſes depoſed, That they went and ſearcht his Houſe in *Ratcliff* Highway, and found him in his Chamber, with a pair of Shears and a File in one hand, and nine Ounces of Clippings wrapt up in a Cloth in the other hand, and the File and Shears were in a Paper. The Priſoner ſaid, That he could not deny, but that the Clippings and Shears were found in his Houſe; but he ſaid farther, that they were put there by ſome Perſons that owed him a ſpight, becauſe he asked them for Money they owed him; there was a Blunderbus and a Gun found in his Houſe very well loaded; he pleaded his Loyalty to his King and Countrey, and his integrity upon all Accounts; to prove which, he produced a great many of his Acquaintance, but that did not avail him; He was found guilty.

ON *Thurſday* in the Afternoon, *William Anderton*, Printer, was brought to the Bar, and an Indictment of High-Treaſon was read againſt him; for that he did Compoſe, Print and Publiſh Two Malicious, Scandalous and Traiterous Libels. The firſt Entituled, *Remarks upon the preſent Confederacy, and late Revolution in* England. The ſecond Entituled, *A French Conqueſt neither deſirable, nor practicable.* After the Indictment was read, the Priſoner pleaded Not guilty: And the Court upon his Requeſt, ordered him a Copy of the Pannel, and gave him time till *Saturday* to prepare for his Trial. Accordingly, on *Saturday* morning about Nine a Clock he was again brought to the Bar; and the Gentlemen that were ſummoned to appear to try the Iſſue were called over, and their Appearances recorded; and the Priſoner had liberty to make his Exceptions, according to the Preſcription of Law, which he did to the number of 35, being the full number, *&c.*

*The Jurors ſworn were theſe Gentlemen whoſe names follow*, viz.

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| *Criſp Grainge.* | *Robert Hinde.* | *Ralph Hutchinſon.* |
| *Joſeph Bliſſet.* | *Simon Smith.* | *John Outing.* |
| *Joſeph Bowler.* | *Thomas Ramidge.* | *Samuel Freebody.* |
| *John Hynde.* | *Robert Longland.* | *Moſes Colwell.* |

Then the King's Council opened the nature of the matter of Fact contained in the Indictment, telling them, That the Offence that was contained in it, was High-Treaſon in the higheſt degree, (*viz.*) The compaſſing and deſigning the death of the King and Queen; and that there muſt be ſome Overt-Act to diſcover the Intention of the man; and that which made the Overt-Act in this Caſe, was in Compoſing, Printing, Publiſhing and diſperſing of two Treaſonable Libels, as they had heard read to them; in which there was contained, the Rankeſt, Vileſt, and moſt malicious Treaſons that ever could be imagined by any man to be put into Paper; for he had no other Name for the King, but the Prince of *Orange*; and the deſign of it was merely to incite all the King's Subjects to ſtir up, and raiſe War and Rebellion againſt him, and to reſtore the Late King *James*. After which the Evidence for the King were called and ſworn, the firſt of which was Mr *Robert Stephens*, Meſſenger of the Preſs, who declared, That he had known the Priſoner for above theſe two years to be an Offender againſt the Government in printing Seditious Libels, but never could tell where he worked till on the 2*d* day of *May* laſt ſpying two Journey-men Printers, who he had miſſed from publick Printing-houſes this half year, he followed them, and ſaw them go exactly into the Houſe of one *Skudamore* (where the Priſoner was found) and where he ſuſpected they worked privately: So having got the Beadle, and another perſon or two with him, to aſſiſt him, he went to the Door, leaving the other a little way off, to avoid any ſuſpicion, *&c.* When he came to the Door, he firſt asked what Lodgers they had, then turning his head aſide, he ſaw the Priſoner's Mother in the Yard, and ſhe well knowing Mr. *Stephens*, ſhe immediately cryed out, Thieves, and came up to him, (her Daughter, the Priſoner's Wife, being with her) fell upon him, and tore his Hair off his Head, crying out Murther; at which time the Priſoner came out of the Houſe, and fell upon him, and abuſed him in a very uncivil manner, telling him he ſcorned to be a Subject to Hook-Noſe; then the Beadle and the other perſon came to his aſſiſtance, and took the Priſoner, but not without a great deal of trouble: Mr. *Stephens*, and the other who were with him, made a particular ſearch, and in a Chamber, which the Landlady ſaid was the Priſoner's Lodgings, and that he went by the name of *Williams*, and a Lapidary by Trade, and where he owned he had been aſleep There they ſaw him ſhoving a Bed which run upon Wheels, cloſe up againſt a Wall, which gave ſuſpicion to Mr. *Stephens* to remove it, which having done, there he found a Door which opened with a Latch, and entring a Room, there he found a Printing-preſs, Letters, and all other Materials fit for the Trade; and ſearching farther, he found in an old Trunk a great quantity of Libels, and Libellous

flous Pamphlets; one Entituled, *A Caution to the Navy*; another, *An Historical Romance upon the Wars*; another, *A Second Letter to the Bishop of Salisbury*; and there was an Errata, and an &c. found set in the Press, the very same that were in the Book called, *Remarks upon the Confederacy*: And in the Chamber, where he lay, there was a Desk (which Mr. *Stephens* knew well to be the Prisoner's, because he had seized it before); in which Desk there was found the two Libels (as in the beginning of the Trial) and divers others of the same sort, which Desk the Prisoner owned to be his; These they seized and secured, having first put their private Marks upon the Libels, that they might know them to be the same, and conveyed them, with the Prisoner, to the Lord Chief Justice *Holt*'s Chamber in a Coach; and being alighted at the Door, whilst Mr. *Stephens* was looking Money to pay the Coachman, the Prisoner made his escape through *Serjeant's-Inn*, but was soon overtaken by the Porter: He was examined by my Lord, and committed to *Newgate* for High-Treason; This was fully and clearly proved against him on the King's side, and the Libels were some part of them read in Court, in which were found abundance of Base, Vile, Scandalous and Traiterous Expressions, enough to make any honest *Englishman* to hate and abominate all such Traiterous and disaffected Principles. That Libel called, *A Caution to the Navy*, which was taken in the Printing-room, was proved to be corrected by the hand of the Prisoner; and those Letters that were in the Form, upon which the *Caution to the Navy* was printed, was also proved to be printed with one and the same Letter, and Character, &c. as the Libels he was indicted for. Then the Prisoner made his Defence; telling the Court, That the matter that was given in Evidence against him was not sufficient to make it an Overt-Act, therefore could not be adjudged High-Treason, praying that he might have Counsel allowed him to plead to it, being a matter of Law. To which he was answered by the Court, that the question was, Whether he printed those Treasonable Books, which plainly appeared that he did, for they were all found (with the Press also) upon him, and his so printing of them was an Overt-Act in the Judgment of the Law; therefore the Person so offending must be guilty of High-Treason, desiring him if he had any Witnesses, to call them; to which he replied, That he had none; but desired that he might have leave to put the Jury in mind of two or three things, which in the general was, the Opinion of my Lord *Coke*, as to matter of Law in his Case; who says, *That it must be done with the intention of the mind, and that it must be some injury done to the King's Person, by buying a Gun, or Gunpowder, or Poyson, or the like, before it can be accounted an Overt-Act*; and there was no such thing proved against him: To which the Court replied, That in Primitive Times, before Printing was invented, writing was found to be an Overt-Act, and made High-Treason; therefore Printing was more manifestly an Overt-Act: And there was no room for any Counsel to be assigned him, for there was no matter of Law for them to plead to; and therefore desired him not to give the Court any unnecessary trouble; adding, That it was the Opinion of the whole Court, that he had no grounds for such a Plea; but if he had any thing to offer that might be any way advantagious to him, they would very patiently hear it.

Then the Lord Chief Justice *Treby* summ'd up the Evidence to the Gentlemen of the Jury, Telling them what dangerous Consequence such Treasonable Libels were of; and that it was as great, and as malicious a Treason as ever could be imagined; but especially when considered to be done against so good a Prince, who had done so much for this Nation, with so great a mind, and so good an intent: This was done only to exasperate, and to stir up Sedition and Rebellion amongst us; therefore if they did believe what the Witnesses for the King had sworn, to be sufficient Evidence that he printed the Libels, then they must find him guilty, otherwise acquit him.

Then the Jury having withdrawn for about three hours time, they brought a Verdict, That the Prisoner, Mr. *William Anderton*, was guilty of High-Treason.

The last day of the Sessions he was brought to the Bar, and asked what he had to say why Sentence should not pass upon him according to Law? He read a Petition, wherein he desired the Court would please to allow him Counsel, to plead to a point of Law; the Court told him there was no matter of Law did arise. Then he desired that he might have a longer time than the rest; to which he was answered, That it was in the power of the Queen to do that, and not in the Court.

**Angell Kolph** Wife of **John Kolph**, and **Edward Boyce** appeared in Court, and an Indictment of Felony was Read against them, for that whereas one *Jane Crutcher*, *Grace Dempsey* alias *Simpson*, and *Ha[illegible]* were Convicted the last Sessions of Felony and Bu[illegible]ary, for that they the one the first day of *April* last, did break the House of *William Tully* and stole 7 Yards of Bone-lace for a Cravat value 5 *l.* and to[illegible] and other Goods, &c. and that the said *Angell Kolph* knowing the said Felony and Burglary to be done, the said *Grace Dempsey*, &c. did receive, comfort and maintain, and 3 Yards of the Lace she did receive from her the said *Dempsey*, and *Edward Boyce*, knowing the said Felony and Burglary to be done, he did receive, harbour, comfort and maintain her against the Peace of the King and Queen, &c. To answer which they found Bail to appear next Sessions.

Whereas in the Trial of **Ann Spedings** alias **Parker**, alias **Abigail**, alias **Hall**, the last Sessions, it was said in the Paper, That she had a Husband, and that the Child she was Indicted for the Murther of was not a Bastard Child, this is to make manifest, That it was proved in Court that the said Child was a Bastard Child, she having no Husband at that time the Child was Born, nor for some years before.

*The Presentment of the Grand Inquest for the City of* London *at this Session.*

1. Against *John Shepherd* at the *Shepherd Tavern* in *Cheapside*, for keeping a disorderly House.

2. Against *Mary Lowes* in *St. Mary Ax*, for the like offence

3. Against the Butchers in *Stocks-market*, for killing their small Meat there.

4. Against the Singers and Sellers of Ballads about the Streets of *London* and Liberties thereof.

5. Against all Lotteries and Unlawful Gaming-houses in and about *London*.

6. Against all Taverns and Alehouses that entertain Persons on the Lord's Day, and that keep their Doors open on that Day.

*The Trials being over, the Court proceeded to give Sentence as followeth.* *Received Sentence of Death*, 16.

Thomas Granger, Izabella Clark, Ann Harris, Esther King, John Webb, Richard Merrick, Morris Moor, Richard Whitworth, William Clement, William Nixon, Thomas Kent, John Barker, Joseph Stitch, John Randall, John Dudley, and William Anderton.

Izabella Clark, Ann Harris, *and* Esther King, *Reprieved after Judgment.* *Burnt in the Hand*, 17.

Ann Foster, Mary Stephens, Mary Underwood, J——— B———, Elizabeth Starr *alias* Osborn, Joseph Sarner, John Earl, Mary Allen, Mary Pead, Mary Harris, Ann Bayley, Mary May, Elizabeth Cox, Elizabeth Adams, Susannah Phillipps, E——— C———, John Jennings *a former Convict.*

*To be Whipt*, 5.

Morris Morris, Maudlin Bevell, Elizabeth Miller, Thomas Whitworth, *and* Prudence Sanders.

*Ordered into Their Majesties Service*, 9.

John Hudson, William Brathwait, Ambrose Whaley, John Evans, Andrew Evans, John Bowman, Deveraux Beasant, Bryant Lamb, Thomas Paddison *a former Convict.*

*To be Transported* 1.

Thomas Hudson.

*Thomas Carter* and *Ralph Nicholls* Respited from Burning by Vertue of Her Majesties Letter, but to remain in Prison half a Year.

Fined *John Abbot* 200 *l.* and to find Sureties for his good Behaviour for a Twelve-month.

*Richard Hurt* Fined 100 *l.* and to find Sureties for a Twelve-month, and both to remain in Prison till they perform it.

*Alice Randall* Fined 20 *l.* and *Elizabeth Ely* 20 *l.* and to find Sureties for their good Behaviour for a Twelve month, and to remain in Prison till they pay the Money.

*Bridget Laystus* Fined 200 *l.* and to stand in the Pillory on *Monday* the 12*th.* of *June* at the *May-pole* in the *Strand*, and on the *Friday* following at *Charing-Cross*, and to find Sureties for a Twelve-month.

The Trial of *William Canning* and several others, for publishing King *James*'s Declaration are put off till next Sessions.

*The next Ensuing Sessions was order'd to begin at* Justice-Hall *in the* Old-Baily, *on* Thursday *the* 13*th. of* July *next, by* 7 *a Clock in the Morning.*

God Save King *WILLIAM* and Queen *MARY.*

*Sir* JOHN FLEET, *Mayor.*

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WHereas one *John Foster* a private Centinel was tried this Sessions for Felony in stealing a Mag-pye and a Cage value Six-pence, the Trial being Comical and very Pleasant, it may be expected in Print singly within a day or two.

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*LONDON*: Printed for *Richard Baldwin*, near the *Oxford Arms* in *Warwick Lane*. 1697.

# An Account of the Conversation Behaviour and Execution of
# WILLIAM ANDERTON PRINTER,

Who was Condemned at the *Old Baily*, on *Thursday* the 8th. of *June*, For *High Treason*, and Executed for the same, at *Tybourn* on *Friday* the 16th of *June* 1693.

Licensed according to Order.

SUch has been Their Majesties Incomparable Clemency, since their Accession to the Throne, that among the many Lives Forfeited by the Law, on the Account of Treasonable Books and Pamphlets, their boundless Mercy has taken but One: (as a great Lawyer has excellently observed) It was only Their Majesties Goodness toward many others, to call that a *Misdemeanor*, which the Law calls Treason. The Treasonable Libels that this Man suffer'd, more particularly for, being but two, of above two Score several sorts that have been dispersed, since the Year 1691, in divers of which are contained as many and great Treasons as it was possible either for the Malice of the Devil or the Corrupt and Treasonable thought of Blood-thirsty Men to invent; *Containing Treasons against the King in his own Royal Person; against his Government, both Ecclesiastical and Civil, full of Treason against the Queen, Scandals against all manner of Professions both in Church and Kingdom, of Magistracy and Ministery*: It is therefore no more wonder to find those People *Distemper'd*, that are entertain'd with *Poyson*, instead of wholesome *Nourishment*, than to see the Sea Rage when the Winds blow.

Thus much said, may seem to give the Disaffected and Murmuring Party a greater Reputation then Convenient, were it not that their main Design, of shooting these *Paper Pellets*, (according to Old *Prines* Phrase), has lately suffered so fatal a Disappointment, that many of them are at this Instant under a *Course of Justice*; Others in *Custody* and Expecting it: And the *Residue* neither in *Humour*, nor *condition* to *Prosecute the Quarrel*; being so fully satisfied of the *Vigelance*, *Power* and *Activity* of their Majesties Friends, (which in Effect, are as many, as either, Love the Publique, or themselves) that they find it morally Impossible for them ever to bring any *Villany to perfection upon so desperate a Bottome*: Besides they have Undeceived the World, and made appear to their Sacred Majesties, that all Mercy is lost upon them.

Mr. *Anderton*, The Subject of this Narrative was by Birth, a *North-Countrey Man*, and tho' but of Indifferent *Estated Parents*, yet he was well Educated as to Grammar Learning. From the School he was put Apprentice to a *Printer*, serving his time with one Mr. *Miles Fletcher*, a Person of considerable Note of that Trade, after which for several Years: From a Printer, he became a Corrector of the Press, which Imploy he chiefly followed, till the late *Abdication* and *Revolution*, after which he took to his Printing again, but in Holes and by Corners only.

Mr. *Anderton* has been known to have been an *Old Offender against the Government*, in *Printing Seditious and Treasonable Libels*, being generally thought to be concern'd in most of the most *Treasonable Pamphlets* that have been Dispersed for some Years past, Notwithstanding he was Indicted and Convicted but of two of them; the manner of his Apprehending was as followeth.

Mr. *Robert Stephens*, Messenger of the Press, having formerly taken many Private Presses, wherein our Mr. *Anderton* was a Chief Manager, more particularly one at *Hogsdon* near *More Fields*, and another near *So-ho* Yet *Anderton* had the good fortune always to Escape with his Person. But on the 2d. of *May* last, *Spying two Journey-Men Printers, whom he had missed from publick Printing Houses, for above six Months before; he followed them, and saw them go exactly into the House of one* Skudamore (*where* Anderton *was found*) *and where he had reason to think he worked privately*: So having the *Beadle* and some other Persons to his assistance, he Apprehended *Anderton* there, but not without a great deal of trouble and abuse: Mr. *Stephens* and the others, made a particular Search, and in the Chamber where *Anderton* Lodged at the back of his Bed they found a private Door, which led them into a Room where Mr. *Stephens* found a *Printing Press*, *Letters*, *&c.* and searching farther, he found in an Old Trunk, a great Quantity of *Libels*, and *Libellous Pamphlets*; one Entituled, *A Caution to the Nasyls*; a *Scurrilous Historical Romance on the Wars*; an other, *A Second Letter to the Bishop of Salisbury*; and there was an *Errata*, and an, *&c.* found set in the Press, the same that were in the Book called; *Remarks upon the Confederacy*. And in the Chamber where he lay, there was a *Desk* (which Mr. *Stephens* knew well to be the Prisoners, because he had seized it before, in which there was found the *Two Libels*, that he was afterwards tryed for, and divers others of the same sort, which *Desk the Prisoner owned to be his*; (these they seized and conveyed with the Prisoner to the *Lord Chief Justice Holts* Chamber: He was Examined by my Lord, and committed to *Newgate* for *High Treason*.

On *Thursday* the 1 *June* in the Afternoon, Mr. *Anderton*, was brought to the *Bar*, where an Indictment of *High Treason* was read against him; for that he did *Compose*, *Print*, and *Publish Two Malicious* and *Treasonable Libels*. The First Entituled, *Remarks upon the present Confederacy, and late Revolution in England*. The second Entituled, *A French Conquest neither desirable nor practicable*. In which two Libels there were contained the Rankest, Vilest, and most malicious Treasons that ever could be Imagined by any man to be put in Paper; in short, the Design of them was merely to incite all the Kings Subjects to stir up and raise War and Rebellion against him, and to restore the late King *James*. After the Indictment was read, the Prisoner Pleaded *not Guilty*: And such was the tenderness of the Court towards him, not only in the large Allowances, of freedom, and favour while he was upon his *Tryal*, but upon his request, ordered him a Coppy of the Pannel, and gave him time till *Saturday* to prepare for his *Tryal*, that he might want nothing for his Defence. Accordingly on *Saturday* morninst about nine a Clock he was again brought to the Barr, where upon a full hearing and Evidence he was found Guilty of *High Treason*, and the last day of the Sessions he Received his Sentence with the rest of the Malefactors. It was observed that his Countenance did not in the least change all the time of his being in Court, till just as the Sentence was Passing on him, at which moment of time, there was a visible appearance of his Countenance Changing very much.

And now Reader we come to the last Acts or Moments of *William Anderton*, who pursuant to the Sentence was this morning being *Friday* the 16 of *June*, conveyd on a Sledge from *Newgate* to *Tyburn*, the usual Place of Execution, Sir *T. Cooke*, Sir *T. Lane*, the Two Sheriffs, with Major *Richardson*, *&c.* Riding by the Sledge to see the *Execution* done.

At *Tyburn* he was attended on by Mr. B. and another Reverend Divine, who assisted him with their Spiritual Comfort, and Advice at this last Moment of his life, he continued at the Place of Execution above an Hour, and having delivered, what he had to say, to the Sheriff, *&c.* the Divines ofre Praying with him, and he making several Ejaculations to himself very fervently, The Executioner did his Office.

*Printed by* John Wallis *near the* Green Dragon *in* Fleet-street, 1693.

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THE

# PROCEEDINGS

ON THE

# King and Queens Commissions

OF THE

Peace, and *Oyer* and *Terminer*, and *Gaol-Delivery* of *Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex* at *Justice-Hall* in the *OLD-BAYLY*.

On *Thursday*, *Friday*, *Saturday* and *Munday*, being the 13*th*, 14*th*, 15*th* and 17*th* Days of *July*, 1693. *And in the Fifth Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, and *Oyer* and *Terminer*, Goal-Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Thursday*, *Friday*, *Saturday* and *Monday*, being the 13*th*, 14*th*, 15*th* and 17*th* of *July*, 1693. before the Right Honourable Sir *John Fleet*, Kt. Lord Mayor of the City of *London*, and Sir *Salathiel Lovell*, Kt. Recorder of the said City, with several others of Their Majesties Justices for the City of *London*, and County of *Middlesex*.

*The Jurors were as follow,*

| London Jury. | Middlesex Jury. |
|---|---|
| *James Lapley.* | *Henry Gerrard.* |
| *Henry Bullock.* | *William Farnborrow.* |
| *James Morris.* | *Edward Hutchinson.* |
| *William Pierce.* | *James Fearne.* |
| *John Passell.* | *Thomas Lathwell.* |
| *Azarias Reynolds.* | *Joseph Bowler.* |
| *John Ingle.* | *Joseph Rolph.* |
| *James Bignall.* | *John Outing.* |
| *John Bennet.* | *Samuel Morris.* |
| *Samuel Ayeris.* | *George Polfrey.* |
| *Robert Fleetwood.* | *Ri. Fitz Gerrald.* |
| *Matthew Roycroft.* | *Ambrose Hambortow.* |

*The Proceedings were these,*

**Mary Turner** was arraigned for stealing 5 Silk Mantuas value 5 *l.* two pair of Holland Sheets value 5 *l.* 3 yards of Gold Lace value 5 *l.* and divers other Goods of value, from *Alexander Pellington*, of the Parish of St. *Mary Woolnoth*; to which she pleaded guilty.

**Tobias Craddock**, a Young man, was tried for picking the Pocket of one *John Scart* in *Hozier Lane*, of 22 Guineas. The Prisoner was taken in the Act; and the Guineas found about him, which dropt from him when he was pursued, as was positively sworn: The Prisoner said that he found it in the Croud, but that was but a weak defence. He was found guilty of Felony.

**Charles Gale** and **Matthew Jones** were tried for stealing a Hatchet value 12 *d.* from *John Wilkins*, a Cloth coat val. 5 *s.* from *John Martin*, a Woollen Chest and 20 *l.* in Money therein, the Money of *Richard Ethye*; they all swore that the Prisoners came into a Boat that lay near *Queen-Hithe*, where the Goods and Money was; and the Boatman being asleep, they were endeavouring to take away the Chest, and had lift it up in order to carry it away, but were presently stopt: The Prisoners stiffly denied the Fact; but the Evidence swore positively. So they were both found guilty.

**Elizabeth White** was indicted for stealing a Pewter Chamber-pot from Mr. *John Taylor* of *Christ's* Church on the 10th Instant value 18 *d.* the Pot was found upon her as she was offering it to sale: she did not deny it upon her trial, saying, she was sorry for her fault: So she was found guilty to the value of 10 *d.*

**Elizabeth Bird** was tried for stealing 6 Linen Aprons, a couple of Shifts, and other small Linen from one *George Graham* on the 8th Instant in *Cripplegate* Parish; the Linnen hung in a Gallery drying, and the Prisoner was met near the place with the Goods about her, which she dropt; the Prosecutor had the Goods again; So she was found guilty to the value of 10 *d.*

**William Pickling**, Gent. was tried for the Murther of one *Jonathan Hall* on the 3d Instant in *St Martins in the Fields*. The manner thus. The Prisoner and the Deceased were in *Tattle Fields*, and the Prisoner being in Arms upon the Trained-bands, and meeting with the Deceased, he presented his Musquet against him, and shot it off, and it happened that a piece of the Rammer (*viz.*) the But-end of it, by the force of the Powder flew out of the Musquet, and entered into the left part of the Deceased's Belly, which gave him a Wound of the depth of 8 Inches, of which he languished till the 8th Instant, and then died. The Evidence for the King declared, That the Prisoner did present the Musquet against the Deceased in a kind of a jesting manner, saying, *Have at thee* Jonathan; or words to that effect; and furthermore, That they had always been very Loving Friends, and there was never any malice found nor proved to have been betwixt them, neither was any words let fall on either side at the same time, which gave any suspicion of malice, but they saluted each other as formerly they had been wont to do. The Prisoner lamented the loss of so good a Friend, and alledged that he had no malice against him, which several of his Neighbours attested; and the Deceased acknowledged before he died, That he did believe that the Prisoner did not design to kill him; So the Court directed the Jury as to the Law in the Case, and they having considered maturely of the Evidence on both sides, they acquitted the Prisoner.

**Ann Middleton** was tried, for that she, together with *Lydia Edwards*, not taken, did steal 12 yards of Indian Callicoe value 25 *s.* the Goods of *George Abbot* in *Covent Garden*; she and *Edwards* came to the Shop to cheapen Goods, and conveyed away the Goods, which were found under the Prisoner's Apron; She was found guilty of Felony.

Henry

**Henry Tickler** of Hanwell was tried for ſtealing 16 yards of Kentin Cloth value 20 *s.* 8 yards of Muſlin, 40 yards of Bone-Lace, and other Goods of great value, the Goods of one Mrs. *Mary Springhall*; the Goods were loſt out of the Shop at *Tame* in *Oxfordſhire*, and found upon the Priſoner at *Hanwell*, in the County of *Middleſex*, which he did not deny: So he was found guilty of Felony.

**Elizabeth Jordan** was tried for ſtealing a Copper Chocklet Cup from *Benjamin Tymbell* of St. *Martins in the Fields* value 18 *d.* which was found in her Apron; ſhe did not deny it, and could ſay nothing for her ſelf; She was found guilty to the value of 10 *d.*

**Thomas Jones** and **Thomas Smith** were both tried for Felony and Burglary in breaking the Houſe of *Matthew Darney* in St. *Martins in the Fields* on the 14th of *June* laſt, and taking away 4 Pewter-diſhes value 10 *s.* 4 Plates, 2 Candleſticks, a Braſs Peſtle and a Morter, *&c.* Mrs. *Darney* ſwore that the Shop-door was broke open in the Night-time about Two a Clock, and the Goods were taken away; the Door was faſt lockt on the Over-night, but found open in the Morning, and the Goods were found in a Cellar in a Wood-yard in the cuſtody of the Priſoner in *Long-Acre*, where they were, which was declared by the Conſtable; and *Smith* was ſtopt with the Goods upon his back going away with them in the aforeſaid Cellar, which Goods were owned by Mrs. *Darney*, and the Key of the Shop was dropt upon the ground in the Cellar, which Mrs. *Darney* owned to be hers. *Jones* denied the Fact; *Smith* produced a Paper, in which he pretended that the Goods were given him by one Mrs *Stoner* to carry to the *Hay-Market* to her Husband, and going along the Street he was ſtopt; but this appeared to be all falſe; So he was found guilty of Felony and Burglary: But there was no Evidence that could bring the matter home upon *Jones*; ſo he was acquitted; but not without ſuſpicion of being a very ill Fellow, *&c.*

**Alice Sawbridge**, Wife of **Thomas Sawbridge**, of *Iſlington*, was tried for murthering her Male-Infant Child on the 20th of *June* laſt; the Child was found in a Clay-pit full of water ſwimming on the top of the Water by ſome Workmen that were at work in the Clay-pit; they thought it to be a dead Dog at firſt, but when they took it out of the water, it proved to be a Child, and the Child of the Priſoner, as ſhe confeſt in the hearing of ſeveral Credible Witneſſes who were ſworn for the King; and that ſhe would not give any account why ſhe ſo diſpoſed of the Child, and none was preſent at the Labour; there was no proof againſt her that ſhe murthered the Child, which the Law provides ſhould be made appear; and the Child was no Baſtard; So ſhe was acquitted.

**Mary Amlet**, **Margaret Amlet** and **Awdly Newton**, her two Daughters, were all three indicted for Clipping 120 Half-crowns, 200 Shillings, and 50 Sixpences. The King's Evidence ſwore that they ſearcht the Houſe of the Priſoner's in *Mackeridge-ſtreet* in St. *Giles*'s Pariſh in the Fields, and in a Room above-ſtairs there was found two pair of Sheares, Filings, Files, Thumbſtalls, Rubbing-Leathers, and all things fit for the work; the Priſoner being askt how they came there, they anſwered, that they knew not; and that they had let the Room to one *Elizabeth Cook*, and others, who were gone away. They called ſome Evidence to prove that *Cook* did lodge in the Room, and that *Mary Amlet* was a Labouring-woman, and was wont to let Lodgings out, and that ſhe was wont to be much abroad a Nurſe-keeping *&c.* the two Daughters declared that they had not been in the Room for a great while before, and knew nothing how the Clippings and other things came there; all which induced the Jury to credit the matter ſo far, that they were all acquitted.

**Ralph Matthews**, a Naylor, was tried for Clipping the Currant Coin of *England*, on the 18th day of *March* laſt; there was found in the Room where he lodged and was taken (upon *Saffron-Hill*) Shears, Files, and other Inſtruments, *&c.* beſides 21 Ounces of Clippings, which were produced in Court; he leapt out at the Window, and was taken again in *Field-Lane*, and brought back to the Houſe; and being aſkt why he fled, he ſaid, what would a man do to ſave his Life? all this was plainly made manifeſt by the Evidence for the King, and that no Perſon lodged in the Room but the Priſoner and his Wife, and whenever he went abroad, he took the Key with him. The Priſoner ſaid he had lodged but a little while in the Room, and pleaded his innocency in the matter, but had no Witneſs on his behalf. He was found guilty of High-Treaſon.

He was a ſecond time tried by the aforeſaid Name for High-Treaſon, in Coining and Counterfitting ſeveral pieces of Falſe Money made of Copper, Tin, and other Metals; ſome of which was produced in Court, and ſhewed to the Jury; and one Piece was found in the Priſoner's Houſe at *Weſtminſter*, and another falſe Piece was found at his Lodging on *Saffron-Hill*; and a great Mill was found at *Weſtminſter* in his Garret, which was uſed to flatten Money; and the Priſoner owned that he had ſuch a Mill; but it was for the uſe of Butter-makers, as he ſaid; but the King's Evidence ſaid, That ſuch a ſort of Mill was only for the proper uſe of Coiners. The Priſoner had no matter that was material to offer for himſelf, and it appeared that he fled for it; So he was found guilty of High-Treaſon upon this Indictment alſo.

**Elizabeth Matthews** was arraigned for ſtealing divers Goods of value from one *Charles Norton*, and others; to which Indictment ſhe pleaded guilty.

**Margaret Allſon** was arraigned alſo for ſtealing 7 yards of Bone-Lace value 16 *s.* from *John Warner*; to which Indictment ſhe pleaded guilty.

**Thomas Lyddall** of Stepney was arraigned for ſtealing 12 dozen pair of Wroſted Stockings value 12 *l.* 8 Cloth-Coats value 8 *l.* 8 pair of Breeches value 8 *l.* and divers other Goods, from *John Pottilla*; to which he pleaded guilty.

**Mary Cally** for ſtealing a Wroſted Camblet Mantua Gown value 12 *s.* from *Robert Chomley*, was arraigned for the ſame, and pleaded guilty.

**Mary Smith** of Hermondſworth was likewiſe arraigned for ſtealing from *John Slocomb* two Silver Spoons value 20 *s.* a quarter of a yard of Holland, a Smock, and other wearing Apparel; She pleaded guilty.

**Mary Bypan** was arraigned, for that whereas her Maſter *Oliver Thomas* did on the 31ſt of *May* laſt, deliver, or cauſe to be delivered unto her, a Silver Tankard val. 6 *l.* 10 *s.* in truſt for his uſe, yet ſhe did contrary to her Faith and Truſt put in her by her ſaid Maſter, imbezle, and make away, to the damage of her ſaid Maſter. Ordered to be tried at *Hick's-Hall*.

**John Johnſon** was tried for High-Treaſon in Clipping the lawful Coin of *England* on the 26th of *June* laſt, in the Pariſh of St. *Peter's Cornhill*. The Evidence was, That there was ſome Clippings found in a Box, which the Priſoner owned to be his Box and a piece of File; and a piece of Clippings was found in the Floor, and that he ſaid he had it of a Journeyman-Taylor, pawned to him for a Shilling; but he could not find the Taylor, he ſaid, and he did not know what was in the Paper; he had Witneſs, who ſaid that he had behaved himſelf well heretofore. The Jury acquitted him.

**Leonard Cooper**, a Youth about 11 or 12 years of Age, was tried for ſtealing 10 pound weight of Tobacco from *Thomas Walker* of St. *Dunſtan's in the Eaſt*; the Priſoner was found in the Warehouſe with the Tobacco in his Apron, and another Boy that was with him got away, by reaſon the Skirt of his Coat rent off; this was fully proved by two Witneſſes: He was found guilty to the value of 10 *d.*

**Ruth Harris** was indicted for privily ſtealing from one *Symon Douglas* a Silver Watch value 50 *s.* on the 20th of *May* laſt; he met her in the Street, and went into a Tavern to drink a Pint of Wine, ſhe took his Watch out of his Pocket, which was afterwards found upon her as ſhe was carrying to *Newgate*. She was found guilty of Felony.

**Iſaac Turner** and **Charles Williams** were both tried for High-Treaſon, in Cutting and Clipping the Lawful Money of *England*. The King's Witneſs ſwore that there was a noiſe of Clipping ofttimes heard in the Houſe where they lodged in *Grays-Inn-Lane*; and upon ſearch in the Houſe, the Door being broke open, the Priſoners were found there, and a parcel of Clipt Money, three pair of Shears, Files, Skales, Weighrs, Rubbing-Leathers, *&c.* were in the ſame Room, at which they were much concerned, and deſired the Searchers to be civil to them, and to let them make their eſcape, as one Witneſs declared. *Turner* ſaid that he was a Lodger in the ſame Houſe, but not in the ſame Room, but that would do him but little good; he call'd ſome Witneſſes likewiſe, but to little effect; for they only ſaid, they never knew any hurt by him. *Williams* declared that he had ſome acquaintance with *Turner*, and accidentally call'd to ſee him whilſt the Conſtable came to ſeize them; he had Witneſs too who gave the like Account, as did *Turner*; and they could neither of them give any ſatisfactory Account of their Credit, nor defend themſelves againſt what was ſo fully ſworn againſt them; They were both found guilty of the Indictment.

Alice

**Alice Langley** was indicted for Clipping Money: The Room where she lodged being searcht, the Prisoner was found in the same, and some Shears were found, in the mouth of one of which there was a Sixpence fixt; and some Clippings, and Money newly clipt was found in the Room. The Evidence deposed, That there was one *Katharine Watson* that went by the name of a Nurse to the Prisoner, and they saw both their Arms move, as if they were a Clipping, through a Crevass in the Door; but whilst the Constable went down stairs, the Nurse made her escape: The Prisoner denied peremptorily that she had any hand in Clipping, but one of the Witnesses swore positively that she had several Clippings about her, and she would have shifted them from her into the Chamber-pot, as he presumed; she called some Witnesses who had dealt with her, who attested that they had always received good Money of her, and never knew any ill by her, but that she was a very honest Gentlewoman for ought they knew, *&c.* The King's Witness further declared, That she fell down upon her knees and begg'd favour, and was much surprised. The Jury found her guilty of High-Treason.

**Thomas Clark** was tried, for that he, together with **Benjamin Arnold**, did break the House of Andrew Fryar at *Bartlesdown* in *Essex*, on the 21st of *March* last was two years, and took away one Silver Tankard value 5 *l.* a Silver Bowl value 3 *l.* a Cloak value 7 *l.* 14 Silver Spoons value 6 *l.* a Ring set with 12 Diamonds value 10 *l.* *&c.* The Evidence was Mrs. *Fryar*, who swore that about 20 of them came about the House about Eight a Clock at Night, and broke into the House, and bound Mrs. *Fryar*, and then rifled the House, and took all away that was of any value; then *Arnold* accosted her Daughter after a very rude manner, and ravished her, and swore great Oaths at her, and put her, and a young Youth that was in the House, in great fear, insomuch that the Child died not long after. There were other Evidence that corroborated hers, and declared that the Prisoner had confest that he was one that committed the Robbery, and the Goods were found upon them, but he said that *Arnold* gave him the least share, because he was but a Younger Brother; he was heard to confess likewise, that he was one that robbed one *Hart* the Carrier of *Norfolk* about the same time; but none of the Goods of *Fryar* were found in *Middlesex* in the possession of the Prisoner; So he could not be found guilty of the Indictment here; but he was ordered to be sent into *Essex* to be tried there at the next Assizes; and Mr. *Fryar* was bound to prosecute him, *&c.* he being notified to be a great Rogue, and a base and most notorious Thief.

**John Wilson** was arraigned for feloniously taking from *Robert Brook* Gent. on the 20th of *June* last, one Rateen Coat value 30 *s.* a Gown 12 *s.* 5 Laced Crevats value 5 *l.* 6 yards of Lace 40 *s.* one pair of Gloves with Gold Fringe value 40 *s.* another Pair with Silver Fringe value 40 *s.* To which Indictment he pleaded guilty.

**Mary Surtivant** of Stepney was tried for breaking the House of *Mary Greaves* and *Robert Greaves* at *Lime-house* Corner on the 16th of *June* last, about 12 a Clock in the Night-time; the Goods lost were 16 pair of Childrens Gloves value 15 *s* 7 pair of Womens Gloves value 7 *s.* two Blue Shirts value 4 *s.* 4 Muslin Neckcloths, and other Linnen, all to the value of about 18 *l.* The Evidence swore that the Window was broke open, and the Goods lost, some of which were found in the House of one *Alice Warrington*, and others of them were found at a Brokers; which Goods were produced in Court, and owned by the Prosecutors; and the Prisoner brought the Goods to *Warrington*'s House, and from thence some of them were convey'd to the Broker's: The Prisoner said that a Sea-man left them at her House, and would call for them on the morrow; but she could not produce the Sea-man, neither did she know his name: She call'd two Women, who said that she was in bed with them that night at Nine a Clock, but their Evidence was not credited: She was found guilty of Felony.

**Elinor Higgs**, Wife of Thomas Higgs, was indicted first for High-Treason, in Clipping the Currant Coin of *England*. The second for a Misdemeanor in coining false Half-pence and Farthings, made of Tin and Copper, *&c.* The first Evidence for the King was the Constable, who deposed, That he found in her House in *Cripplegate* Parish, Shears, Files, Moulds, Melting-pots, a Ladle, wherein were found a quantity of Half-pence that were false, and in her hand were found a parcel of Clippings about two Ounces, which she would fain have shifted into the House of Office; All the Instruments, with the Clippings, were produced in open Court as a Corroborating Evidence against her. The Prisoner declared, That she had the misfortune to marry with a Person who brought the Instruments to her, and she was loth to disclose his Secrets. The Landlord where she lodged, declared that there was never any Person came to her as her Husband, and she was not able to prove that she had any such Husband, nor that he brought the things to her. As to the Half pence, she confest at her Apprehension that she made them, and said, that it was her Trade to do it. So she was found guilty of both Indictments.

**John Mabbot**, a poor Fellow of Helston, Labourer, was tried for breaking the House of *Robert Ivory*, Clerk, and taking away 6 pound of Bacon value 3 *s.* 5 pound-weight of Cheese value 18 *d.* and 12 Bottles of Cider value 6 *s.* The Evidence swore, That the Prisoner was found standing under the Wall about Four a Clock in the Morning, but nothing was found about him, only the Key of the Door where the Goods were; the Prisoner denied the Fact, and said he knew nothing of it. The Court directed the Jury, That if they did believe that he did steal the Goods, yet they might likewise be of the opinion, that he did it to suffice his Hungry Appetite; and he appeared to be a person that lookt as if he wanted necessary Provisions. So the Jury acquitted him.

**Susan Williams** and **Sarah Padwick** were both tried for breaking the House of one *John Davis* in *Catlin-street*, in the Parish of *Stepney*, and carrying away two Gold Rings value 40 *s.* a Petticoat value 14 *s.* six Blue Aprons, several other Goods besides a half Guinea, and 40 *s.* in Money; the Prisoner *Williams* was seen in the House about Four a Clock in the Morning, where she was taken; and being askt how she came there, she answered that she could not tell: The other (viz.) *Padwick*, was seen hovering about the Door, but nothing was found about her; So she was acquitted. But *Williams* was found guilty of Felony, and discharged of the Burglary, because it was in the day-time.

**Angel Rolph** and **Edward Pepee** were indicted for harbouring, comforting and maintaining one *Grace Dempsey*, alias *Mickell*, who was convicted at the Session held in *April* last, for breaking the House of one Mr. *Jolly* in *London*, and received Judgment for the same. The Indictment set forth, That Mrs. *Rolph* did feloniously take and receive 3 yards of Bone Lace, part of 276 yards which was stolen by the said *Grace Dempsey* from the aboveſaid *Jolly*; and that he the said Mr. *Boyce* afterward, the 10th of *April* knowing the said *Grace Dempsey* to have committed the Burglary, he did receive, comfort and maintain her. To prove this; The Evidence swore that Mrs. *Rolph* did confess that she did take a Lodging for *Dempsey*, and that she took Lace of her, because she had no Money; this was the same night the Robbery was done; but it did not appear that Mrs. *Rolph* knew any thing of the Robbery, neither was there any proof that she did. Mr. *Boyce* produced the Sheriff's Warrant, which was read in Court, which he had to arrest *Grace Dempsey* for Debt, and he did so take her into his Custody by vertue of of his Warrant, and not upon any Evil or Felonious Account. They were both acquitted.

**Ralph Smith** was tried for stealing a Black Gelding value 8 *l.* from *William Chappell* of *Stoke-Newington*; the Prisoner was found upon the back of the Horse in the Road without any Saddle; the Prisoner said the Horse was in a Lane, and there being water in the Lane, he only made use of him to ride over the Water; but then the King's Witness deposed, That he was met 10 miles from the ground where the Horse was, upon the Gelding's back, as aforesaid; and that when he was asked where he was going with it, he reply'd that it was his Master's Horse, and that he was going a Journey. He could give no good account of himself. He was found guilty of Felony.

**George Clist** was arraigned and tried for Burglary in breaking the House of one *Robert Graves* of St. *Leonard Shoreditch* on the 5th day of *March* last, and carrying away one Silver Coral value 8 *s.* a Hood and Scarf, a Tabbey Petticoat value 3 *l.* three Gold Rings value 30 *s.* and divers other Goods, besides 4 *l.* 1 *s.* in Money. Upon Evidence it appeared that the Prisoner was a Lodger as a Soldier at *Graves*'s House, and whilst he was abroad, he broke open the Lock of the Chamber-door, and took away the Goods, which he in a manner confest, when taken; for he offer'd to give *Graves* Bond to pay him by the week; and the Robbery was done about Three a Clock in the Afternon. So he was acquitted of the Burglary, but found guilty of the Felony.

**William Hunt** and **John How** were both tried for stealing (on the 25th of *May* last) fourscore Iron Bullets val 40 *s.* and 18 Iron Crows value 36 *s.* the Goods of Captain *Francis Applebey*. The Evidence deposed, That *How* was found aboard the Ship, and he confest that he and *Hunt* had oftentimes stole great quantities of Iron-work from off several Ships, and that *Hunt* was with him at the Robbery; but his saying so did not affect

affect *Hunt*; and there was no other Evidence againſt him; So he was acquitted: But *How* was found guilty.

**Elizabeth Partin** was indicted, for that ſhe did break the Houſe of one *Alice Owers* in *Black-Fryars* on the 28th of *June* laſt, with an intent to ſteal her Goods. The Priſoner was found upon the Stairs in the Houſe about Three a Clock in the morning, the Watch found her, and her Shoes were off; and ſhe ſaid that ſhe took that for her Lodging; ſhe had nothing about her, and it was day-light when ſhe was found; ſo it could be no Burglary; and ſhe had not removed any of the Goods. So ſhe was acquitted.

**Mary Ebenor** was indicted 1. for keeping a Common Bawdy-houſe. Secondly, For keeping a diſorderly Houſe in entertaining Lewd Perſons therein. She was referr'd to be tried at *Guild-Hall*.

**John Barber, John Pitford, William Jones** and **John Andrews**, were all four tried for robbing one Mr. *Nicholas Salter* of *Stoak* in *Buckinghamſhire*. On the 5th of *July* Inſtant the Houſe was broke open, and the Goods taken away was 7 Gold Rings value 56 *s.* a Scarf with a Gold Fringe value 18 *l.* one Silver Tankard val. 5 *l.* a Silver Salt val. 5 *l.* two Gold Watches value 15 *l.* four Spoons val. 40 *s.* two Silk Petticoats fringed value 7 *l.* a Stript Silk Gown val. 7 *l.* a Tabby Mantua Gown val. 8 *l.* two Flower'd Waſtcoats val. 6 *l.* a Silk Petticoat val. 5 *l.* and ſome other Goods, beſides 39 *s.* 6 *d.* in Money. The Evidence was Mr *Salter*, and others, who declared that his Houſe was broke open by the Priſoners; and purſuing them the ſame morning within five hours after the Robbery was committed, they were all taken in *Middleſex*. *Barber* was taken in St. *James's Park*, the other three in *Piccadilly*, with the Goods in their Cuſtody, every one having ſomewhat in his cuſtody that Mr. *Salter* owned to be his Goods; particularly the Fringed Scarf was found in *Barber's* Breeches, and ſome Piſtols were found upon the reſt, which Mr. *Salter's* Servants ſwore were taken out of the Houſe, and the Houſe was broke open; all which was very plainly and directly evidenced.

The Priſoners being asked what they could ſay in their defence; *Barber* ſaid that he found the things he had upon the Road, but could not prove it, only alledged that he was at *Wickham* that night, but could not prove it. The other three denied the fact; ſaying that they had nothing to ſay, nor no Evidence to call on their ſides; So the Court directed the Jury, and told them, That if a Burglary be committed in one County, and the Goods brought by them into another County, and found upon them, it ſhall be accounted Felony in ſuch Offenders. So they were all found guilty of Felony.

Sir **Richard Manſell**, Baronet, was indicted and tried for the Murther of *William Pickering* on the firſt day of *February* laſt. The Matter of Fact appeared upon Evidence thus: Mr. *Pickering* being an Apothecary, there was ſome Monies due to him from Sir *Richard Manſell*; and in order to be ſatisfied, and to come to an amicable Account, they agreed to meet at *Squires's* Coffee-houſe in *Fuller's Rents*, where being met, they did not long continue, but for more privacy went down into *Grays-Inn* Walks; and being in the High-walk, they could not accommodate the matter although Sir *Richard* offer'd Mr. *Pickering* to give him ſecurity by his Bond to pay him in a reaſonable time, as ſoon as his Returns came out of the Countrey; yet Mr. *Pickering* would not be contented; but would have his Money preſently, and began to be angry, and to reply upon Sir *Richard* after a moroſe manner, giving him very Scurrilous Language, which was altogether unfit to give to a Perſon of Quality, which provoked Sir *Richard* to draw his Sword upon him, upon which Mr *Pickering* withdrew himſelf from Sir *Richard*, and Sir *Richard* followed him; which Mr. *Pickering* perceiving, he (to prevent the danger that might come upon him) leapt over the Wall down into the Lower Walks, and broke his Leg ſhort off; Sir *Richard* followed him, but did him no other hurt; upon this Mr. *Pickering* was removed to his place of Abode, and there he languiſhed of the ſaid Wound till the 13th of *February*, and then died. The Surgeons gave their Opinions that the Wound was the occaſion of his death, *&c.* Sir *Richard* being asked what he had to ſay in his defence, he anſwered that it was a Misfortune that happened much againſt his will, and that he was heartily ſorry for it; and that he had no deſign of doing of him any hurt, and deſired that the Judges would be of Counſel for him, and was willing to ſubmit his Caſe to the Court: Then the Judges gave their Opinions, and did agree that the Matter ſhould be found ſpecial, becauſe it was a new Cauſe; Matter of Law did ariſe thereupon, therefore it was reſolved that a time ſhould be ſet aſide for the Judges to conſult the Matter. Then Sir *Richard Manſell* moved, that he might continue upon Bail; but the Court told him that could not be granted.

**John Cook**, a Boy of about 12 years of age, was tried for Felony and Burglary, in breaking the Houſe of *Thomas Nichols* of *Shandois-ſtreet*, with an intention to ſteal his Goods; the Boy was found in the Houſe, but he did not break into the Houſe; Mrs. *Nichols* declaring that the Door was left open. The Boy confeſt that there were four more that intended to have robbed the Houſe beſides him; he was acquitted.

**Ann Willon**, Widd. was indicted for High-Treaſon in cutting, clipping, filing, and diminiſhing the Current Coin of *England*; upon Evidence it appeared that there were Clippings found in her Houſe at *Weſtminſter*, which were produced in Court, and ſhewed to the Jury; but the Cloſet, where the Clippings were found, had no Key to it, and it was common to her Lodgers; and there was one Mrs. *Archer* that lodged in the Houſe heretofore, that was accounted an ill Woman. She was acquitted.

**Elizabeth Smith**, a poor Woman, was tryed for ſtealing a Nag, price 8 *l.* out of a Field at *Fulham*, the Goods of *William Lewer*, which Horſe was found in the Cuſtody of the Priſoner in *Piccadilly*; She could give no account how ſhe came by the Horſe, only ſaid, That a Man gave her the Horſe, but ſhe could not produce him; She was found guilty of Felony.

**Elizabeth Ingham** and **Mary Ellis**, were both tried for breaking the Houſe of the Right Honourable *John* Lord *Lovelace*, on the 13th Inſtant, and taking away ſeveral Pewter-plates, a Fire-ſhovel and Tongues, and other Goods: The Watchmen found *Ingham* in the Houſe between Twelve and One a Clock in the Night; ſhe got in at the hole where the Coles were wont to be ſhot down in the Cellar, but none ſwore that it was broke open by the Priſoner; and *Ingham* had been a Servant to the Lord *Lovelace* formerly; and ſhe told the Watchman, that ſhe had took it for her Debt. She ſaid upon her Tryal, That the hole was open, and ſhe went in thereat; there was no Evidence againſt *Ellis*, ſo ſhe was acquitted, but *Ingham* was found guilty of Felony, to the value of 10 *d.*

**Mary Bowen** was arraigned, for that ſhe together with **Elizabeth Anderſon** alias **Pidleton**, did ſteal (on the 30th of *June*) ſeveral Shifts, and other Linnens of ſmall value, the Goods of *Atkins Moor*; to which ſhe pleaded guilty.

**Elinor Dykes** alias **Freeman**, was tried for Robbing *Thomas Letman*, of a pair of Leather-ſhoes, value 2 *s.* and a Guinea, the 2d of *June*. *Letman* and his Wife ſaid, they loſt about 4 *l.* in all; and there was no one in the Houſe, but the Priſoner who was a Nurſe to Mrs. *Letman*, when the Money was miſſing; ſo they had a ſuſpicion of her, but could not prove any thing againſt her; ſo ſhe was acquitted.

**John Urwin**, a Highway-man, was tried for Robbing *Gabriel Newman* in the King's Highway; together with one *Thomas Johnſon* and *Samuel Gibbons* not taken. *Newman* depoſed, That *Thomas Johnſon* and *Gibbons* met him in *Swallow-ſtreet*, and fell upon him, and rifled his Pockets, and took away Seven Guineas, one half Guinea a double *French* Piſtole, value 35 *s.* and afterwards they followed him home, and forced themſelves into the Houſe, and took Thirteen Guineas more; but *Newman* could not ſwear poſitively, that the Priſoner was concerned with them; and he denied it, and ſaid that he ſaw *Newman* buy Twenty one Ounces of Clippings of one *Townley*, and thereupon the ſaid *Newman's* Houſe was ſearcht. It did not appear that the Priſoner had any hand in the Robbery. He was acquitted.

**John Jackſon** was indicted for ſtealing from one *Walter Riddall* (on the 12th of *June* laſt) 6 Pewter-plates, value 4 *s.* a Pewter-diſh, value 2 *s.* The Priſoner was paſſing through Mr. *Riddall's* Houſe being the *Dog-Tavern* in *Drury-Lane*, and the Skullery-door ſtanding open, he took the Goods, which he confeſt, being ſtopt with the Plates in his Cuſtody; he was found guilty.

**Hugh Hamleton** was indicted for Publiſhing a moſt Scandalous Libel againſt the Government, Entituled, *Great Britains juſt Complaint for her late Meaſures, preſent Sufferings, and the future Miſeries ſhe is expoſed to: With the beſt, ſafeſt, and moſt effectual way of Securing and Eſtabliſhing her Religion, Government, Liberty, and Property, upon a good and lawful Foundation, fully and clearly diſcovered in Anſwer to Two Late Pamphlets, concerning the pretended* French *Invaſion*. Printed at *Oxford* in the Year 1692. The Libel was found in the Priſoner's Lodgings,

* a great

a great quantity of them, ſome part of which was read in Court, as a further Teſtimony againſt him, in which was found very abuſive and ſcandalous Expreſſions: he was heard to ſay, That he was a Captain in King *James*'s Time, and that he was to go into *Ireland*, and that he was wont to me in the Night-time to write, which was witneſſed by the Girl that made the Fire in the Room. Mr. *Hambleton* by his Counſel called ſome Gentlemen, who gave a very regular Account of his former Behaviour, and that he had always the Character of a very firm Proteſtant about four years ago; which might be ſo, yet he might change his mind ſince; as the Court directed the Jury. He could give no perfect Account of the Books how he came by them; So the Jury found him guilty of a Miſdemeanour.

**Paul Grebillet** a French Miniſter was brought into Court by Mr. *Stephens* the King's Meſſenger, arraigned and tryed for a Miſdemeanor, in compoſing, printing and publiſhing a Scandalous Catechiſm, in which were contained certain Heretical and Schiſmatical Sentences, which were of dangerous conſequence to the Youth of this Kingdom of *England*; the Council argued the Matter on both ſides a long time; the King's Council argued, that the Catechiſm was not licenc'd according to Act of Parliament, neither regiſtred in the Regiſter of the Company of Stationers of *London*: On the other ſide it was argued, that the Words excepted againſt in the Catechiſm were not Hereſy; but if they were, it ought to be tryed in an Eccleſiaſtical Court, which was the Opinion of the Court, and that a Jury of Twelve Men were not proper Judges of Hereſy, but that ought firſt to be determin'd in the Eccleſiaſtical Court. He was acquitted.

**John Ludlam** was indicted for a Miſdemeanor, in publiſhing a Scandalous Libel, entituled, *The Anatomy of a Jacobite, or a Jacobite's heart laid open*. Upon Evidence it appear'd that Mr. *Robert Stephens* the Meſſenger met the Priſoner in *Ludgate-Street*, and having a ſuſpicion of him, he civilly call'd him aſide, and took him into a Shop, and deſired him to pull out what Papers he had about him, ſhewing him his Badge, which certified the Authority he had ſo to do; ſo the Priſoner pull'd out ſeveral Papers, which Mr. *Stephens* preſently marked; and the Libel was in his Pocket likewiſe; one of the Papers contained an Alphabet of Letters, directing a Founder how and what Letters to make; other Papers contained Queries in Law, how far a man might act in the diſperſing of Unlicens'd Papers and Books, without coming under the cenſure of a Criminal; There was another Paper, mentioning how he could help any Perſon to any private Pamphlet, both in Writing, and Printed, *&c.* he denied to tell his Name to Mr. *Stephens*, offering him Monies; as alſo to Mr. Recorder at firſt: he could give no account where he had the Book, therefore in Law he was the Author of it; he was heard to ſay, That he intended to ſet up a Preſs, which he ſaid he did not intend to uſe to any ill end, nor to affront the Government.

**William Smith**, alias **Franklin**, alias **Babbington**, and **Blanch Smith** his Wife, were tried for ſtealing from *Samuel Morris* (on the 27th day of *June*) 5 Ells of Holland value 42 *s.* and a Holland Sheet, *&c.* The Priſoners came to Mr. *Morris*'s Houſe to drink, and took their opportunity to convey the Goods away; the Woman went away firſt with the Goods, and the Man was going afterwards, but was ſtopt by Mr *Morris*; he was found guilty of Felony; but ſhe being his Wife, what ſhe did was in obedience to her Husband. So the Law acquitted her.

**Alice Smith** and **Elizabeth Smith** were arraigned upon two Indictments; the firſt for ſtealing two Holland Smocks value 5 *s.* three other Smocks val. 9 *s.* and ſome other Linnen, from *Ann Hunt*, Widow. The ſecond for robbing *Henry Watſon* of divers Goods of value; to both which Indictments they pleaded guilty.

**Elinor Roath** was tried for robbing one Samuel Stringer of eleven Guineas, two Half Guineas, one Twenty Shilling Piece of Broad Gold, and 40 *s.* in Money. The Evidence was Mrs. *Stringer*; who depoſed, That ſhe lay all night at the Priſoner's Houſe with one *Mary Murray*, and the Priſoner ſate up in the ſame Room all night, and in the middle of the night, when ſhe was aſleep, *Murray* went away with the Money; but the Priſoner ſtaid behind, and would have given Mrs. *Stringer* 7 *l.* to reconcile the matter. She was found guilty of Felony.

**Elizabeth Davis** as Principal, and **Avis Hampſted** as Acceſſary, were indicted, for that they, together with *Elizabeth Bennet*, alias *Wall*, and *Margaret Tobingloch*, not yet taken, did ſteal from *Thomas Peters* on the 20th of *April* a Camblet Duſſgound val. 10 *s.* a Riding-hood val. 18 *s.* five Petticoats val. 5 *l.* a Scarf val. 30 *s.* and divers other Goods of great value. The firſt Evidence was one Mrs. *Peters*, Siſter to the ſaid *Thomas Peters*, who ſaid that the Houſe was broke open in the night-time, and the Goods were taken away; but they who were there were not ſatisfied with that, but thirſting after blood too, they murthered the ſaid *Thomas Peters*, putting Tobacco-pipes and a Stone into his Mouth, and crammed Rags after them, and then they put him under a Feather-bed, and choakt him to death; the Rags were produced in Court all bloody, *&c.* There were others who ſaid that they ſaw *Davis* in the Houſe, and that when ſhe was taken, ſhe ſaid *ſhe was a dead Woman, and her ſweet Life muſt pay for it*; and that ſhe was heard to ſay, *That ſhe got the old Cull out to drink, and ſo did her buſineſs effectually*; and another Witneſs heard her ſay, *That ſhe had left her Pattins in the Old Dog's Room over the Water*, which was in *Southwark*, meaning *Peters*, as was preſumed, *and that ſhe had done it on a* Wedneſday, *and perhaps it might be her fortune to be hang'd on a* Wedneſday. Some of the Goods were brought by *Davis* to the Houſe of *Hamſted* in *Long-Acre*; and there ſhe ſaid, *That the Old Cull was very ſtrong, and he cried out, and that ſhe and one* Jacob *did it, and that they could have brought as much more if they could have carried it; and that they had left the Old Cull faſt aſleep upon a Feather-bed.* It was ſworn that *Hemſted* entertained *Davis* that night after the Robbery and Murther was done, which was very horrid in its nature and circumſtances, although ſhe was not indicted for it, that a Woman ſhould be ſo cruel; The Priſoner *Davis* cried and lamented her Caſe, and denied all the matter of Fact, ſo did *Hamſted*; at the latter end of the Trial *Henry Hamſted*, Husband to *Avis Hamſtead*, was brought into Court by his Bail, and the Jury were charged with him, as being acceſſary to the ſaid *Elizabeth Davis*; but none could accuſe him, he being in the Countrey at the ſame time; ſo in the end, *Davis* was found guilty of Felony, and Mrs. *Hamſted* was found guilty of harbouring and entertaining of her after the Felony committed.

**Mary Munnella**, Wife of **Richard Munnella**, was indicted and tried for ſtealing a Picture val. 4 *l.* the Goods of Mr. *Edward Page*, Chyrurgeon, on the 21th day of *January* laſt paſt. Mr. *Page* declared upon Oath that his Picture was loſt out of his Houſe in *Goat-Court* near *Fleet-bridge*, and that it was found at the Priſoner's Houſe at *Anny-Seed-Clear*; to prove which, one Mr. *Harris* depoſed, That as he was walking towards *Anny-Seed-Clear*, he ſaw the Picture hang out at the Priſoner's Door to be ſold, upon which he acquainted Mr. *Page* with it, and the next day they both went, and found it there, and Mr. *Page* owned it to be his Picture, and the very ſame that hung in his Houſe over the Mantle-tree; and that the Priſoner told them that ſhe bought it of a Woman in a Blue-apron, but ſhe did not know her; and that ſhe gave her a Crown for it. There was no poſitive proof that ſhe ſtole it, ſo ſhe was acquitted.

Mr. **Nicholas Charlton**, who was formerly tried, for that he, with one *Keeling Baſord*, and three other Perſons unknown, did on the 21ſt of *January* laſt paſt make an aſſault upon *Henry Lamb*, Gent. in the High-way near *Acton*, with an intent to kill and murther him, and was found guilty of that Aſſault, and fined 500 Mark for the Offence; was alſo tried a ſecond time for maiming Mr. *Lamb*, but acquitted of that Indictment, there being ſtrong proof that he was at *Greenwich* when the buſineſs was done. He was likewiſe brought to the Bar this Seſſions to anſwer an Indictment againſt him for the Murther of the aforeſaid *Keeling Baſord*; But Mr. *Lamb* refuſing to proſecute the ſaid Mr. *Charlton*, he was immediately diſcharged of the Indictment.

One **Thomas Tuſſin** was arraigned for ſaying theſe words, *That the King was a Thief, the City was on fire*; *and that he would fight up to the Chin in blood for King* Jam[illegible], but he was found to be very much diſtemper'd in his Brain, and ſometimes diſtracted. So his Trial was put off.

**Mary Wyat**, **Margaret Young**, and **Richard Gardiner**, were tried for a Miſdemeanor, for uttering falſe and counterfeit Money, to the great Prejudice of the Publick. There was no Evidence appeared againſt them; ſo they were acquitted of the Indictment, but ordered to find Sureties for their good Behaviour.

**John Floyd** was tried for Picking the Pocket of one *John Murray* of a Silver Watch, value 3 *l.* on the 10th of *June* laſt; but no Evidence appearing againſt him, he was acquitted of the Indictment, but ordered to find good Surties.

**Elizabeth Paling** was tried for Exchanging of broad Money for clipt, to the great encouragement of Clippers; it was proved that she was wont to give 22 *s.* for a Guinea, and sell them again for 21 *s.* 6 *d.* of broad Money, which she furnisht the Clippers withal, all which was fully prov'd; so she was found guilty of a Misdemeanor.

*The Trials being over, the Court proceeded to give Sentence as followeth.*

*Received Sentence of Death*, 20.

Charles Gale, Matthew Jones, Henry Tickler, William Smith, Thomas Hudson *a former Convict*, Tobias Craddock, Thomas Smith, Ralph Matthews, Ruth Harris, Isaac Turner, Charles Williams, Alice Langley, Elinor Higgs, Susanna Williams, Ralph Smith, John Barber, William Jones, John Andrews, Elizabeth Smith, Elizabeth Davis. John Pitford *was Respited before Judgment.*

*Burnt in the Hand*, 12.

Mary Turner, Elizabeth Matthews, Ann Middleton, Margaret Allison, Mary Smith, Mary Easy, Mary Sturtivant, Mary Bowen, Alice Smith, Elizabeth Smith, Elinor Roach, Avis Hampsted.

*Ordered into Their Majesties Service*, 4.

Thomas Lyddal, George Clist, John Wilson, John Jackson.

*To be Transported.* John Howe.

*Ordered to be Whipt*, 5.

Elizabeth White, Elizabeth Bird, Elizabeth Cooper, Elizabeth Jordan, Elizabeth Ingham.

Fined, *John Ludlam* 300 *l.* and to find Sureties for a Twelve Month.

*Hugh Hambleton* fined 200 *l.* and to lie in Custody till he pay it.

*Elizabeth Paling* fined 40 Marks, and to find Sureties for her good Behaviour.

*Alice Langley*, *Elinor Higgs*, *Susanna Williams*, were found quick with Child. The rest were searcht, but were found to the contrary.

One *Pickering* a notorious Highway-man, was ordered to remain till next Sessions.

*The next Ensuing Sessions was order'd to begin at* Justice-Hall *in the* Old-Baily, *on* Wednesday *the 6th. of* September *next, by 7 a Clock in the Morning.*

God Save King *WILLIAM* and Queen *MARY.*

*Sir* JOHN FLEET, *Mayor.*

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## ADVERTISEMENTS.

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*These Nine Printed for* Richard Baldwin.

*These are to give notice to all Persons for the benefit of the Publick, That* W. Elmy, *Professer of Physick, and* Operator, *of known Integrity, and above* 25 *Years Practice, liveth at the* Blue Ball *in* Whale-Bone-Court, *at the lower end of* Bartholomew-Lane, *by the* Royal-Exchange. *Who most safely and expeditiously cures* Deafness, *and* Noise *in the* Ears, *in any, of what Age soever, (if curable) and at first sight by inspection resolves the Patient, if so, or not, as most eminent Persons of Quality in this City can testifie. I have Remedies ready prepared for the preservation of the Hearing in those who through some great defects in the Sounding Membrane, and other Impediments in the Auditory Passages are not perfectly curable, which Remedies preserves them from ever growing worse, and improves their Hearing to Old Age. That you may not mistake and go to a false Pretender, my House is at the* Blue-Ball, *as aforesaid, you may see it as you come into the Court.*

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LONDON: Printed for *Richard Baldwin*, near the *Oxford Arms* in *Warwick Lane*. 1693.

# The Proceedings of the KING and QUEEN's Commissions of the *Peace*, and *Oyer* and *Terminer*, and *Goal-Delivery* of *Newgate*, held for the City of *London*, and County of *Middlesex*, at *Justice-Hall* in the *Old-Bayly*.

On *Thursday*, *Friday*, *Saturday*, *Monday* and *Tuesday*, being the 12*th*, 13*th*, 14*th*, 16*th*, and 17*th*, Days of *October*, 1693. *And in the Fifth Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, and *Oyer* and *Terminer*, Goal-Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Thursday*, *Friday*, *Saturday*, *Monday* and *Tuesday*, being the 12*th*, 13*th*, 14*th*, 16*th*, and 17*th*, of *October*, 1693. before the Right Honourable Sir *John Fleet*, Kt. Lord Mayor of the City of *London*, and Sir *Salathiel Lovell*, Kt. Recorder of the said City, with several others of Their Majesties Justices for the City of *London*, and County of *Middlesex*.

*The Jurors were as follow,*

| London Jury. | Middlesex Jury. |
|---|---|
| *Daniel Taylor.* | *William Dynn.* |
| *Isaac Dighton.* | *Henry Russell.* |
| *James Stancliff.* | *Gilbert Herring.* |
| *Henry Emmett.* | *Nicholas Clark.* |
| *William Turvill.* | *John Green.* |
| *John Clark.* | *John Groves.* |
| *William Rogers.* | *John Hall.* |
| *John Lapworth.* | *Thomas Dunk.* |
| *Edward Harrison.* | *John Biscoe.* |
| *Allen Hackshaw.* | *Robert Hopkins.* |
| *Charles Russell.* | *William Jennings.* |
| *Joseph Haycock.* | *William Gunstone.* |

*The Proceedings were these,*

**Walter Batson, Jeremy Bedford** and **William Dando**, were all three tried for breaking the House of *Robert Jacob* in *Falcon-Court* in *Shooe-Lane*, about the hour of Three in the morning, on the 21*st* day of *September* last, The Prisoners came to the House of *Jacob*, and told him they were come to search his House upon suspicion of High Treason, upon which he arose out of his Bed, and let them in; as soon as they were entered, instead of searching for Clippings, &c. they fell to rifling the House, and took away one Silver Tankard, value 6 *l.* one Caudle-cup, 50. *s.* one Salt, 5 *l.* one Silver Porringer, val. 30 *s.* Six Forks, val. 3 *l.* Nine Knives, val 40 *s.* and other Plate; when they had done this, they carried Mr. *Jacob*, his Wife and Maid away to the King's Messenger's House in *Piccadilly*, pretending they had a Warrant from the Secretary of State so to do; *viz.* to search for Clippers; but they carried none of the Plate with them to the Messengers. They produced the Secretary's Warrant in Court, which was read on their behalf; but were told by the Court that their Warrant was to impower them to seize the persons, not the goods; and the Warrant was directed to a Messenger, and not to them; and what had they to do to meddle with the Goods? *Batson* said, That what he did, was through ignorance, having been not long deputed to search for Clippers: Then the Constable, who was with them in the search of *Jacob*'s House, swore that the Prisoners came to him at his Watch-house, and caused him by force to go along with them; and one in the Company held a Pistol to his Breast, but he could not tell which of them: They produced a Copy of their Deputation in Court, bu they were told that did not avail, because they had acted more than they ought; they said they would produce the Plate: Upon the whole, the Court told the Jury, That such practices as these were of dangerous consequence, and therefore the more to be consider'd by them. They were all acquitted.

**Richard Hewet** was tried for stealing (on the 6th of *September* last) from *John Williams* a Bag, val. 2 *d.* one Guinea, and 17 *l.* 5 *s.* and 3 *d.* in Money; *Williams* said that he was a poor Country-man, and came to *London* to sell Teazles, and lay at Mr. *Roberts*'s Inn, where the Prisoner was Chamberlaine, and his Money being in his Pocket, he laid his Breeches under the Pillow, under his Head; but in the morning when he awoke, his Breeches lay upon the Floor at the Beds-feet, and the money all gone; he produced several persons that paid him the money. And there was one *Deady*, a Country Gentleman, that lodged in the same Room, who lost his money out of his Breeches in the same manner. The Prisoner and his Master (Mr. *Roberts*) alledged that they took all the care they could to fasten their Doors, and that they knew nothing of the matter. In fine, The Inn-keeper was ordered to make the said *Williams* satisfaction, and the Prisoner was acquitted.

**James Summers** was arraigned for stealing a Silver Tankard, val. 6 *l.* 10 *s.* from *Daniel Cook*, to which he pleaded guilty.

**James Bell** was arraigned for stealing 30 yards of Gold Lace, val. 33 *l.* Fourteen Gross of Brass Buttons, gilded, value 3 *l.* 9 *s.* the Goods of *Alexander Marshall*; to which he also pleaded guilty.

**Mary Foreman**, Widow, was arraigned for stealing 55 Ells of Hempen Cloth, val. 4 *l.* 3 *s.* 8 *d.* 100 Ells of Osnabrig Cloth, val. 3 *l.* 15 *s.* the Goods of *John Gosin*; To which Indictment she pleaded guilty.

**James Robins** was likewise arraigned for stealing from *Robert Moor*, on the 20th of *August* last, a Silver Tankard, value 4 *l.* 10 *s.* To which he pleaded guilty.

**Martha Ward** was indicted for stealing two Gold Rings, val. 28 *s.* from *Agnes Hilliard* on the 2d Instant. To which, upon her Arrignment she pleaded guilty.

**Ann Smith** was tried for robbing Ralph Tells and Sarah Tell of two Silver Spoons, val. 22 *s.* one pair of Strays, val. 25 *s.* and other Goods, &c. which she had made away; she was a Servant to Mr. *Tells*, and took away the Goods; she went away on a *Sunday* night, without any notice given to her Master; she could prove nothing for her self, nor why she went away so clandestinely: She was found guilty.

**Thomas Cook**, alias **Brown**, and **Peter Wallis**, were both tried for making an assault upon *Sarah Arnold*, a Fish-woman, in the King's High-way; as also upon *Margaret Atkinson* her Maid, upon *London* Bridge, putting them in fear of their lives; taking from *Atkinson* 21 *l.* 7 *s.* and 6 *d.* in money, and a Guinea from *Sarah Arnold*; *Atkinson* swore That on the 21st of *September* last, as she was going over *London* Bridge about 5 a Clock in the Evening four men met her, whereof the Prisoners were two, and seized her, and carried her to a Tavern upon *Fish-street Hill*, and afterwards they went and brought Mrs. *Arnold* to the Tavern to her; and afterwards pretending to carry them before a Justice of Peace, they left them in the open Street, and went away. The Prisoners alledged that they charged the said *Atkinson* with Treason, for Clipping money; but then comes Mrs. *Arnold*, and declares, That they used her in a very uncivil manner, and gave abundance of ill names, and search her House, but found nothing; and being with her in the Street, pretending to go before a Justice, the Prisoners and one *Ireland* gave them the slip; and afterwards they had a Treat, and drank the two Fish-womens health, saying they had had a good Booty on the over-night; afterwards Mr. *Cook* was found out in *Fetter-Lane*, and part of the money was about him, which he did not deny to be *Arnold*'s money; Mr. *Cook* called several Witnesses who were with him when he search the House, who declared that he fairly search her House, but found nothing suspicious there; he pleaded his Deputation, (and what he did was by vertue of the power derived from it) which he had from the Warden of the *Mint*; that was true, but then he must take heed how he executes that power, it must be upon the persons of those suspected, and not upon their Goods; for this was of such bad Example, that all honest persons might be seized in the Street. Mr. *Cook* had persons of good quality as to his Birth and Reputation, and that he was a Gentleman of a Good Family, and had been entrusted by several worthy persons of great note, of things of vame; so had Mr. *Wallis*. The Jury considered of the

the matter, and brought them in Not guilty; for which Verdict they were checkt by the Court.

**Jeremiah Bedford** was singly tried on Middlesex side for Felony, in stealing on the 20th of *September* last two Pistols, value 40 *s.* the Goods of *John Hicks*; upon Evidence it appeared that the Prisoner went to *Chelsey* and search Mr. *Hick*'s House for Clippings, and Mr. *Hicks* swore that he lost his Pistols and some Plate, at the same time; and the Evidence was positive that the Prisoner took the Pistols; the Prisoner pleaded his Warrant, but was told he was no Messenger, and had nothing to do to go about such matters; he denied that he took the Pistols; and said, that one Mr. *Killigrew*'s man had them, and that he went with them but as an Assistant to the Messenger; the Court directed the Jury, that if they did believe he did it with a felonious Intent, then they must find him guilty; but if not, then they must acquit him. He was acquitted.

**Ann Jones, Alice Stebbing,** and **Elizabeth Dymbleloe**, were tried upon two Indictments of High Treason; the first for Clipping the Currant Money of *England*, the second for Coining the same: The King's Witnesses declared, That in *Jones*'s House in *Sutton-street*, at *Westminster*, were found a File, Tools for Coining, and three pair of Shears were found in the Stable under the Manger, and about a thousand Crucibles were found in the Garret, and some false Half-Crowns; and a Silver Plate was found with the Coat of Arms razed out, which was with all the above-mentioned Utensils produced in Court, and shewed to the Jury; as also a Bag of Clippings, Rubbing-stones, &c. Mrs. *Jones* alledged that she knew nothing how such things came there, and her Husband was gone out of Town the day before; and that she had a Lodger, a *Frenchman*, one *Dumferling*, that might possibly be concerned; she called several of her Neighbours, who she dealt with, who gave a favourable account of her life, and of her Husband's, Mr. *Jones*; the other two were Sisters; *Stebbing* being Maid-servant to Mrs. *Jones*; she said that *Dymbleloe* (her Sister) came the *Sunday* before to see her, and staying there, was taken with her and her Mistress; they had some Witnesses also who said they were honest Women, and of a fair Reputation; the Evidence was not full enough to satisfy the Gentlemen of the Jury; so they were all acquitted of both Indictments, but not without great suspicion of being concerned.

**John Bayly** was tried, for that he, together with one **Elizabeth Grimes**, not taken, did break the House of *Thomas Gill* on the 15th of *July* last, about Eleven a Clock in the day-time, and took away one Iron Pot, val. 3 *s.* a Skillet, a Plate, a Bowl, &c. and 25 *s.* in money; the money was in a Cupboard in a Little Drawer, and the Cellar-door was lockt, and no body at home; and when *Gill* came home, there was a Padlock put upon the Door, and the money was gone; The Prisoner said that he let the Cellar to *Gill*, in *Long-Acre*, and gave him warning to be gone, which he refused, so was advised to put a Padlock upon the Door: And a Witness for the Prisoner declared, that he took an Inventory of the Goods in the Cellar, and there was but five penny-worth of Farthings, and Half a Crown in Silver: So he was acquitted.

**Abraham Anderson**, a Black, was tried, for that he, together with one *Benjamin Davis*, not taken, did kill and murther one *Benj. Price*, on the 14th of *April* last, giving him a mortal wound upon the Belly of the depth of six Inches, of which he died: The matter of fact was thus; The deceased *Price*, and another person one *Blaker*, being walking along *Castle-street* in *Long-Acre* last *Good-Friday* at night, they overtook the Prisoner and the said *Davis*, who had each of them a drawn Sword in their hands; and when they came near them, the Black cried out, *Damn you, who do you call Jack-a-napes*; and immediatly pickt a quarrel with them, and would fight with them; so *Blaker* got the Black's Sword from him, and then *Davis* gave *Price* the wound in his Belly; and the Black's Fingers were cut by *Blaker*'s drawing the Sword out of his hand; the Black fled for it as well as *Davis*, and went into *Flanders*, as he alledged; and thinking all was forgot, he returned to *England*, and was taken at *Westminster* in a House of bad Repute.

The Black said that the other abused him, and called them Sons of Whores, and that he would not have fought, but what he did was in his own defence; he denied any thing that most affected him, and pleaded hard for to extenuate the Crime; He was found guilty of Manslaughter.

**John Lord** was tried for High Treason, for Clipping Money; he was found at Dinner with Mrs. *Wilkinson* at *Westminster*, where she and her Daughters were taken, who were all tried for the same Fact last Sessions; and Mrs. *Wilkinson* was found guilty (and was reprieved, being pregnant) but no Evidence could affect him: So he was Acquitted.

**John Crittenden** and **Edward Dar**, were both tried for High Treason in Clipping the Current Coin of *England*: On the 4th Instant the Prisoners were found in their Lodgings in *Salisbury-Court*, where was found a Forge, Clippings, Clipt-money, half-finished, and Melting-pots, Files, Rubbing-stones, four pair of Shears, and all other necessary Implements fit for Clipping. The Prisoners were much surprized when the Officers came to search, they stood as it were men struck dumb, so they did upon their Trial; they called several Witnesses, who spake well of them in the general, but the Evidence was so plain, they were both found guilty of the Indictment.

**Thomas Tupham** was likewise tried for the like Offence of High Treason, in Clipping the Lawful Money of *England*: Upon the Evidence it appeared that he was seen upon the Monument steps telling Clipt-money; and being examined, his Colour changed, and there was a small parcel of Clipt-money found about him, and a parcel of Clippings dropt from him out of his Breeches; The Prisoner said that he found the Clippings and Money upon *London-Bridge*, about 40 *s.* on't: He was found Not-guilty.

**James Gardner** was tried also for Clipping the Currant Money of *England*: The Evidence was, That the Prisoner offered 27 *s.* of False Money for 20 *s.* of Good Money, and that he would help the same person to some Clippings; in order to which they agreed to meet at an Ale-house in St. *Anns-Lane*, where being met, he was seized, and a Bag of Clippings was found pinn'd to the Skirt of his Coat, and some Tools for the Trade was found in his Lodging: The Prisoner denied that he knew any thing how the Clippings came to be pinn'd to his Skirt, and that it was a Trick put upon him; for truly he said he was wholly innocent; but yet he had no Witness to evade the Charge; He was found guilty of High Treason.

**Mary Nace**, alias **White**, was tried for stealing from *Rachel Nace*, Widow, on the 27th of *September* last, in St. *James Duke-place*, four Ells of Cloth, val. 12 *s.* and 19 *l.* in money; *Rachel Nace* was Mother-in-law to the Prisoner, and kept her in her House, and whilst she was abroad, she run away with the money, and afterwards was found at *Westminster* with part of the money about her; there was a parcel of Silk, Crapes, with Scarves and Fringes, &c. which were bought by her to make her fine; there was a Letter also produced in Court, written to her by one *White* from *Northampton*, wherein he desired her to buy him a Sword, and that he long'd to see her in her new Rigging, and that he would have her come to *Northampton*, but withal in as great pomp as possibly she could &c.

In her defence she said that she had been a Servant to her Mother *Rachel Nace*, and that her Mother had used her money oftentimes before, so she thought now she might make bold with hers: She was found guilty of Felony.

**Dorcas Needham** was tried for stealing a Watch, val. 6 *l.* from her Master one *Peter Dubelly*, whom she had served about three quarters of a year; Mr. *Dubelly* said that she took the Watch, and got out of the Window with it, and run away; she being taxed with the Felony, denied it; but after much pressure, she confessed the taking of the Watch; she was taken at her Mother's House in *Russel-street* in *Covent-Garden*, but she had made away the Watch; though she promised, that if her Mistress would give her but a days time, she would produce the Watch, or the Value, but did not; instead of that she got out at the Window as aboveſaid, and made her escape; she denied it, but yet she was found guilty.

**Cornelius Trough** was indicted for feloniously taking out of the Shop of *Thomas Burgess* near *Aldgate*, twelve pair of Leather Gloves, val. 24 *s.* the Prisoner and another man came to Mrs. *Burgess*'s Shop to cheapen some Neckcloths and Crevats, and she low him put the Gloves under his Coat; the other person run away, but the Prisoner was taken in the Act; he was found guilty to the val. of 10 *d.*

**George Windor** was tried for stealing a Brass Kettle, val. 25 *s.* and a Jack, val. 15 *s.* from *Henry Mitchell* of St. *Botolph's Aldgate*, on the 9th of *September* last; the Goods were found upon him in the night-time in the Street; he was found guilty of Felony.

**Gertrude Smith**, alias **Davis**, was tried for robbing *William Wells* of a Trunk, with several Laces and other Linen contained in it, besides 40 *s.* in money; she lodged at Mr. *Wells*'s in *Cripplegate* Parish, and took away the Trunk, which was found in her possession; she said that she had the Trunk of a strange Woman, but that did not avail; she was found guilty of Felony.

**Samuel Gosson** was tried, for that he the 8th day of *March* did marry one *Elizabeth Deacon*; and on the 12th of *July* following he did take to Wife one *Ann Mealand*, the first Wife being

being alive; The Evidence to prove the first Marriage, said, that he was married to *Deacon* in the *Fleet* Prison, according to the Church Ceremonies; there was none could charge the second Marriage upon him; So he was acquitted.

**Walter Batson, Jeremy Bedford** and **William Dando**, were all again tried for making an assault upon one *John Hicks*, and taking 40 Guineas from him against the will of the said *Hicks*. They came to *Chelsey*, where Mr. *Hicks* was, and they seized Mr. *Hicks*, and took the money out of his Pocket, telling him that his House was at the same time searching, upon suspicion of being a Clipper; they went away, taking *Hicks* with them, and delivered him to the King's Messenger; This was lookt upon to be no legal way of dealing; tho they had a Warrant from the Warden of the *Mint* to search for Treasonable Persons, yet they ought to meddle with nothing but the persons themselves, and not their money and Goods. *Bedford* was not there at the same time, so he was acquitted in course; and the other two pleading that what they did was through ignorance, the Jury were pleased to acquit them both.

**James Seward, John Rowland** and **Margaret Sumner**, were all tried for a Misdemeanor, in unlawfully defrauding and seducing one *William Puplet*, a young man, aged about 21 years, who was a Servant to one Mr. *Isaac Bernard*, a Merchant in the City of *London*: They were charged in the Indictment to have seduced him the said *Puplet*, and got out of his hands (he being Cash-keeper to Mr *Bernard*) the Sum of One thousand seventy pounds in money, and of Goods to the value of 150 *l.* The Matter of Fact was thus; Mr. *Bernard* being on the 15th of *July* last at *Bristol* Fair, and leaving the said *Puplet* at home, to look to his Affairs here at *London*, and a younger Apprentice, in the interim of which time *Margaret Sumner* was Mr. *Bernard*'s Servant, and he was brought to be acquainted with *Seward* and *Rowland*, through, and by the means of one *A*—— who was a man as bad as they; they all went to the Tavern, and caused the said *Puplet* to drink himself into a good humour, and then *Seward* borrowed 5 *l.* of him upon a Horse he pretended he had in Town, but really he had none; then after this they all went with him to *Richmond* to the Wells, and at that time he lent them more money; after this, they finding him yielding to their Designs, they told him that they would hire a Calash, and that he should ride in it with two Gentlemens Wives, whose Husbands were out of Town, to *Epsom* Wells, and they would ride by to attend him; to effect this, they told him that they should want money to pay for the Calash, and to buy them fine Cloaths, and Perriwigs, which he lent them, and passed his word for some Perriwigs to a Barber near *Temple-Bar*, where he left 30 *l.* in a Bag which he left behind him; which said money Mr. *Rowland* took away, and the *Epsom* Journey was put by; this money they borrowed of him, and they encouraged him so to do, by telling him that Mr. *Seaward* was a Gentleman of a good Estate in Reversion, in *Wiltshire*, which was false, and that he would honestly pay him; and as for Mr. *Rowland*, he was a Gentleman that had Threescore pounds *per annum*, and receiv'd it by 15 *l.* a quarter, and then he would pay him whatever he lent him; and that *Seaward* would ride to *Salisbury* in *Wilts*, and there sell his Reversion to repay Mr. *Puplett* what he had borrowed, but this was not performed: Then they come to the last shift, which was to perswade Mr. *Puplet* to get all the money he could of his Master's, and with that to go into *Flanders*, and there he might get into preferment, and buy a Commission. Mr. *Puplett* being so tricked out of so much money, and not knowing what to do to get it, and make up the Cash against his Master's return from *Bristol*, was persuaded to comply; upon which he raised several Sums, some of which were in Guineas, the rest in Silver, to the value of about 1000 *l.* in all, and with that he was shipt off from *Harwich*; this was the sum of the Evidence against the Prisoners. They by their Counsel pleaded, that they never allured nor inticed Mr. *Puplet*, neither did they know the money was his Master's; and that he was as forward as they in the whole matter, which was declared upon oath by several Witnesses on their side; that did them no kindness, for the Jury were pleased to consider the bad Consequences of such base Practices as these; so after a long hearing, the said *Seaward* and *Rowland* were found guilty of a Misdemeanour, but the Maid, *viz. Sumner* was acquitted.

**Dorothy Robinson** was arraigned for stealing a box, value 10 *s.* two Quilts 2 *s.* two Blankets 12 *d.* three Sheets, value 18 *d.* and two pair of Breeches, the Goods of *John Pedly*; To which Indictment she pleaded guilty.

**John Gold** and **Elizabeth Gold** his Wife, were both tried for Clipping money; the Evidence was, that there was a couple of Files, and a clipt Sixpence found in *Gold*'s Chamber; but none could charge them to be Offenders in that case; So they were both acquitted.

**J—— P——** was tried for a Misdemeanour, for that he being a Person of an evil behaviour, and disaffected to the Government; and being at a Church at St. *Mary-le-Bow* on the 30th of *April* last, was heard to wish evil to the King and Queen; the occasion was thus; The Minister having read a Brief, and pronouncing the words, *God save King* William *and Queen* Mary, at the conclusion thereof the said *P.* was heard to say, *The Devil take them both*; but there was but one Evidence that swore he spoke the words, and there were others in the same Pew with the Witness, and they heard no such words spoken; and there were several Persons sate with Mr. *P.* in his Pew also, and they heard nothing like it; several of whom were produced in Court on Mr. *P*'s. behalf, who declared upon oath, That the Minister pronounced the words, *God save the King and Queen*, and not *King* William *and Queen* Mary, as the King's Witness said; there was several that gave a credible account of his Reputation, and that he had taken the Oaths to Their present Majesties, and was well affected to them, and Their Government; particularly Dr *Puller*, and others of his Neighbours, *&c.* So he was in the end acquitted.

**Joseph Stephens** was arraigned for stealing a Shift, and some other Linen, the Goods of a Person unknown, which he confest upon the Arraignment.

**Sarah Burrows** was arraigned for stealing 8 yards of Lace from *Sarah Lewkin*; To which she pleaded guilty.

**Edward Lampkin** was tried for stealing a Sable Tippet from off the neck of one Mrs. *Elizabeth Montford* on the 10th of *October* in the Evening about Six a Clock; she was going along *Bishop's-gate-street*, and suddenly her Tippet was snatcht from her neck; and the Prisoner was found running away in the same place, but no Tippet was found about him, neither could Mrs. *Montford* say he was the Person that did the Fact; and the Prisoner had good Witness to his Credit; and the reason he run was because he was in debt; He was acquitted.

**Jacob Duchstild** a Dutchman, was indicted for a Misdemeanor for speaking these words; says he, *I take a Crown a week of King James's Pay; and I have a little Pocket-glass, and on the one side of it there is King* James's *head, and on the other there is a Cross, and that's to shew that I am listed under King* James, *and I can take any man to be listed under the same man that I am*: These words were declared positively to be spoken by him, by a Woman: All he had to say for his defence was, that the Woman swore against him out of malice, because he would not yield to her unlawful desires; but that was disproved by her Husband that stood by her in Court, who said that he had been married to her several years, and that she was no such person: He was found guilty.

**Mary Lake**, Servant to Edward Groome in Drury-Lane, was tried for the wilful murther of her Male-infant Bastard-child, which she did on the 2d Instant; upon Evidence it appeared, That in the Garret, where she lay, there were some symptoms of a Child being born; and that she used to tell her Mistress that she had the Dropsy, but last *Monday* was Sevennight, she was found in the Kitchen with the Child lying upon the ground dead by her, wrapt up in an old shift; there was no sign of any hurt done to the Child: The Prisoner said for herself, that the Child was dead born, and that she made provision of Clouts, *&c.* but she could prove nothing; then the Statute of the 21st of King *James* the First was read to her, *viz. Except such Mother can prove that the Child was born dead by one Witness at least, then she shall be accounted guilty*, which she could not prove; so she was found guilty of the Murther.

**Jane Lark**, alias **Lyon**, tried for stealing eleven Pieces of Coined Gold val 11 *l.* another 10 *s.* Piece, 9 Guinea's, and 25 *s.* in Silver: the Prisoner was a Lodger in the House of the Prosecutor one Mr. *Thomas Cummins*; and Mrs *Cummins* having a Child sick of the Small Pox, she desired her to look to it while she went abroad, and in the mean time she robbed her; and about a fortnight after she let her Goods out at the Window with a Cord, and run away, and afterwards she was found in St *James's Market* but the Gold was spent. And she then said, that if Mrs *Cummins* had not made so much ado, she might have had her Money again; and if she would not be contented, she would go to Law with her with their own money, and ruin them therewith; for she could but be burnt in the hand for it. The Prisoner denied the Charge, and had nothing material to offer. She was found guilty of Felony.

**Elizabeth Ellozy** was tried, for that she, together with *Edith Ellory*, not taken, did steal three Gold Rings from *Thomas Medbury*, value 40 *s.* Upon the Evidence it did appear, that the Prisoner

Priſoner was a Waſher of Linnen to the Lodgers in *Medbury's* Houſe, and one of the Rings was found upon the Priſoner's Daughter's Finger; that was nothing to her: So ſhe was acquitted.

**Mary Salter** and **Sarah Welſted** were both arraigned upon an Indictment of Felony, for ſtealing from *Mary Minnim* on the 21ſt of *September* laſt 7 yards of Callico, val. 10 *s.* *Welſted* pleaded guilty, and *Salter* was tried for it: The Evidence declared the Priſoner came into the Shop with *Welſted* to cheapen Goods, and ſtole the Goods, and the Goods were taken upon the Priſoner, which was plain: So ſhe was found guilty.

**James Gunſtone** of Stepney was tried for breaking the Houſe of *Thomas Jackſon* in the day-time, and taking away on the 10th of *September* laſt one Silver Tankard, val. 4 *l.* a Silver Salver, val. 3 *l.* a Cup, val. 20 *s.* a Spoon, val. 8 *s.* five yards of Silk, val. 5 *l.* a Surgeon's Box of Inſtruments, and other Goods; Mr. *Jackſon* declared, That he being at Church, and his Family, the Lock of his Door was pickt open, and the Goods and Plate taken out of the Houſe; and a little time after the Priſoner was taken in *Swan-Fields*, and Mr. *Jackſon's* Plate was dropt in the Field, and a Salver was found in a Room upon the Bed in the Houſe of one *Underwell* in *Brick Lane* in *Spittle fields*, where the Priſoner was taken; and ſome Silks were found in the Cellar; all which Corroborating Circumſtances gave ſuch ſatisfaction to the Court, that he was found guilty of Felony.

**Thomas Percivall**, of the Pariſh of St. *Martins in the Fields*, (*that lately belonged to the Play-Houſe*,) was indicted, for that he being a perſon not having God before his Eyes, nor weighing his Duty and Allegiance to our Sovereign Lord and Lady the King and Queen; but endeavouring and intending to deceive the King and People, he did falſly and traiterouſly clip, cut, file and diminiſh the Currant Coin of *England*: The Evidence for the King depoſed, that when they came to ſearch his Lodgings on the 10th of *September* laſt, he run away, but was ſoon ſtopt, and in his Pocket was found a ſmall Paper of Clippings; and over his Bed's-head was found another little Bag of Clippings, which were ſhewed to the Jury; and 2 pair of Shears, which were ſeen to drop from the Priſoner in the Street as he run away; which he did not deny; adding, that he found the Shears and the Clippings in a Cloſet where he lodged, and was going to carry them to Mr. Juſtice *Bridgman*: when Mr. *Dunn* came upon him; but he was askt why he run away when he ſaw Mr. *Dunn*; he ſaid, becauſe he was afraid of falling into their hands, which was eaſily believed; He was found guilty of High Treaſon.

**Elizabeth Williams** was arraigned for ſtealing a Silver Tankard from *William Hutchins*, val. 5 *l.* 10 *s.* on the 2d of *September* laſt; To which ſhe pleaded guilty.

**John Aldgood** and **John Bonner** of Weſtminſter, were both tried, for that they, together with *Stephen Dunks* (not yet taken) did felonioufly take out of the Houſe of *Thomas Kyrby* of *Weſtminſter* 180 *l.* in money. The matter of Fact was, That *Aldgood* and *Dunks* went to Mr. *Kyrby's* Houſe in *German-ſtreet* to ſearch for one *Unis* a Clipper, and they went up ſtairs about the Houſe, and came down again; and then the Conſtable and Mr. *Bonner* came, (who had been waiting at an Alehouſe near the Houſe) till the other two had been in the Houſe, the Conſtable and Mr. *Bonner* were in the Houſe afterwards but found nothing that was ſuſpicious; ſo they went all to the Tavern, and afterwards Mrs. *Kyrby* went home, and miſt her money, but ſhe could not tell who had it; Mr. *Bonner* had good Evidence for his Reputation, how that he was a man of a fair demeanour amongſt his Neighbours and all others that he dealt with: So he was acquitted, but *Aldgood* was found guilty of Felony.

**William Kemp** was tried for privily ſtealing from *John Brown* 15 *l.* 5 *s.* in money: Mr. *Brown* ſwore that he was at the Tavern with the Priſoner from 10 a Clock on the *Friday* morning, till 10 the next day, playing at Cards; and he being much in drink he fell aſleep; and in the mean time he catch't the Priſoner's Hand in his Pocket, but they were much in drink: He was acquitted.

**William Noble**, a Soldier, was tried for killing one *Edward Randale*, giving him a mortal Wound near to his Right Pap, of the depth of 12 Inches; they quarrelled about a Whore on the laſt Faſt-day, and fought for her at the *George* in *Newter's Lane*, and the Priſoner had the misfortune to kill *Randale*: He was found guilty of Manſlaughter.

**Walter Batſon**, **William Daudo** and **Jeremiah Bedford**, were all three again indicted for breaking the Houſe of *William Marriott*, and taking away a golden Locket, val. 16 *s.* two Silver Lockets, val. 20 *s.* a Pair of Forceps, val. 4 *s.* and other Surgeons Inſtruments, beſides 42 *l.* 14 *s.* in money, &c. the Goods of Mr. *Matthew Coppinger*; They came to the Houſe about 3 a Clock in the morning, in a rude manner, and cauſed Mr. *Marriot* to open the Door; and when they were enter'd the Houſe, they held a Piſtol to Mrs. *Marriott's*, and Mrs. *Coppinger's* Breaſt, and ſwore great Oaths at them, and put them in great fear, and ſaid, If you won't tell where your Husband is, I will ſend your Soul to Hell; this was ſaid to Mrs. *Coppinger*; then they rifled the Houſe, ſearching all the Drawers, and took all the money away; *Batſon* and *Daudo* would not ſuffer Mrs *Coppinger* to put on her Clothes a pretty while, till Mr. *Bedford* (being more civil than they) deſired them to give her leave; the Conſtable ſpake to them to be civil; but yet Mr. *Batſon* took out the money out of the Drawer, and ſealed it up, and put ſome odd money into his Pocket, which he ſaid was to bear charges; and Mr. *Killigrew's* Man ſtood at the Door, and threatned to fire the Houſe if they would not bring Candles, &c. They pleaded that they were miſtaken, and went further than they had power, but withal had no Felonious Intent. So they were all acquitted. And Mr. *Coppinger* had his money again.

**Alexander Rollſone** was tried for making an Aſſault upon *Richard Settle* in the High way in *Beaufort's* Buildings on the 18th of *September* laſt, and taking from him four pair of Stays, val. 5 *l.* a Gown, val. 11 *s.* a Hat, val. 9 *s.* Mr. *Settle* ſaid, that four or five men met him, and one of them ſtruck him, and another run away with the Hat and Periwig, which was found upon the Priſoner in the Street at the ſame place; the Priſoner denied the Fact, and his Left Arm was perfectly lame, being maimed in the War laſt Summer; the Evidence waver'd; he was acquitted.

**Thomas Kyrby** was indicted for the murther of one *Stens Brent*; on the 19th of *September* laſt *Brent* was hanging on the ſide of the Priſoner's Lighter at *Shadwell*, endeavouring to get into it, and *Kyrby* ſtruck him off with a Pole down into the water, giving him a blow on the fore-part of the Head, of which he immediately ſunk, and was never ſeen ſince; the Priſoner alledged, that the ſaid *Brent* ſtruck him down in his Lighter ſeveral times as faſt as he could riſe, and ſtunn'd him, inſomuch that he knew not what he did; at laſt the Priſoner was bailed to appear whenever he ſhould be called, till the man be ſought for, it being uncertain whether he was drowned, yea or no.

**Hannah Mollep**, alias **Barry**, was ſingly indicted for ſtealing one Woollen Blanket, val. 5 *s.* a pair of Sheets, val. 12 *s.* from *Richard Nicholls*; ſhe was a Lodger in *Nicholls's* Houſe, and ſhe took the Goods away, and confeſs'd that ſhe had pawn'd them: ſhe was found guilty of Felony.

**Edward Taylor**, **Deborah Taylor** his Wife, **George Purtrey** and **Jane Webb**, were tried for ſtealing two Cart-load of Wood, val. 11 *s.* an Iron Pot, val. 2 *s.* 6 *d.* the Wood of *William Johnſon* of *Weſtminſter*, on the 24th day of *June* laſt; but it appeared to be a malicious Proſecution: So they were all acquitted.

**John Shudamore**, **David Douglas** and **John Gowen**, were indicted for a Miſdemeanor, in erecting and ſetting up a private Printing-preſs, and printing therewith, or cauſing to be printed ſeveral Scandalous and Seditious Pamphlets againſt the Peace of the King and Queen, and Government, and for privately and ſecretly diſperſing the ſaid Scandalous Pamphlets. The King's Meſſenger ſwore that the Preſs was found in *Douglas's* Houſe at *Weſtminſter*, and there was printed thereupon ſeveral Seditious Papers and Pamphlets; one, entituled, *The Jacobites Principles vindicated*; *and* Great Britain's *Juſt Complaint*: Another Book of Paradoxes; and that Mr. *Douglas* came into the Printing-room whilſt the men were printing of them, and bid them make more haſte. for, ſays he, *I was uſed to make more haſte when I made Gloves for my Miſtreſs the Queen*; and further, it was proved that Mr. *Douglas* had ſeveral of the Pamphlets from the Printer, and that he ſold them, and brought the money for them to him; and in Mr. *Gowen's* Houſe was found in a Drawer the *Scotch Whim*; and in his Houſe of Office was found the *Jacobite Principles vindicated*: The Priſoners had ſeveral Friends appeared for their Reputation, who declared in general that they were men that followed their private Trades, and no ways diſaffected as they ever apprehended, &c. Mr. *Sandmore* did not appear, though often called: So the Jury were diſcharged of him; and having conſidered of their Verdict, they were both found guilty of a Miſdemeanor.

**Walter Batſon**, **Jeremy Bedford** and **William Daudo**, were again indicted for making a Riot in the Houſe of *Robert Jacob* in *Shoos-Lane*; to which they all pleaded guilty.

**Mary King**, alias **Gooman**, was tried for ſo king the Houſe of one *Joſeph Bayly* of St. *Giles's-Cripplegate* on the 30th of *September* laſt, and carrying away one Alkereene Petticoat, val. 7 *s.*

val 2 s three yards of Hair-fringe, a Hood, and three yards of White Flanders Lace, val. 43 s the Door was double locked: and when Mrs. *Bayly* came home, she found it open, and the Goods gone; she confeſt the Fact before Mr Juſtice *Hyberes*; but none could ſay ſhe broke the Door open; So ſhe was found guilty of Felony only.

**John Clectwood** of Harrow on the Hill, was tried for two Burglaries; one for breaking the Houſe of *John Canon*, and ſtealing 9 Pullets, val 9 s. and ſome other things, from *Matthew Malnor*; a ſecond for breaking the Houſe of *Robert Twiford* at the ſame place, and ſtealing 5 Geeſe, val. 15 s. there were two other Perſons with the Priſoner viz. one *Thomas Purchaſe*, and one *Daniel Hoskins*, who were bailed; Mr. *Twiford*'s Gooſe-houſe was broke open on the 8th Inſtant, and 5 Geeſe ſtole away; and the Priſoner confeſt to the Headborrow of *Marrybone*, that he broke the Gooſe-houſe, and took 4 of the Geeſe away; he was found guilty of breaking of *Twiford*'s Houſe; but the Evidence was ſhort as to the other: So he was acquitted of that.

**John Vandoze, Mary Vandoze** his Wife, **Hannah Woolley**, alias **Barry**, and **James Bennet**, were all four indicted, for that *James Bennet*, together with *James Barnet*, and *John Turner*, not yet taken, did break the Houſe of *Richard Nicholls* of St. *Margaret's Weſtminſter*, and took away one Silver Tankard, val 5 *l.* 10 s another Tankard, val. 6 *l.* a Caudle Cup, a Spoon, a Watch, val. 40 s. a Waſtcoat, a Silk Scarf, 5 Gold Rings, val. 40 s. and 50 *l.* in Money. Upon Evidence it appeared, that *James Bennet* was a Lodger in Mr. *Nichol*'s Houſe, and he came to his Lodging about 10 a Clock at night, and the Maid opening the Door to let him into the Houſe, he with two more ruſhed in, and went into *Nichol*'s Chamber, and ſwore that money they wanted, and money they muſt have; and told him that he had 500 *l.* in his Houſe; there was none could ſwear that *Vandore*, his Wife, and *Woolley*, was at the Robbery; ſo they were indicted but as Acceſſaries, and were acquitted; but *James Bennet* was found guilty.

**Margaret Sherwood** and **Thomas Parſh** were both tried for counterfeiting the Currant Money of *England*; Mrs. *Sherwood*'s Houſe being ſearcht at *Cock-hill*, in the Pariſh of *Shadwell* upon ſuſpicion, there was found in the Garret abundance of Plates of Half-Crowns newly ſtampt; as alſo a great many Bars of Copper, Tin, and other mixt Metals; with the Flasks and Melting-pots, and all other Tools for the work; and in the Chamber where the Woman lay, *Marſh* was found ſtanding by the Window; and in the Cloſet there was found 94 new freſh-coined Half-Crowns, which were eſſay'd and valued by the Goldſmith to be worth but Half a Crown an Ounce: *Sherwood* ſaid ſhe knew nothing of it, and had Lodgers that lay in the Room. *Marſh* declared that he had not been in the Houſe not above a quarter of an hour before the Conſtable came: The Evidence could not reach him, ſo he was acquitted; but *Sherwood* was found guilty of High Treaſon.

**Cornelius Slayman, Arthur Denzy, Philip Packdonel**, and **Nicholas Henderſon**, were all four Indicted for Robbing the Houſe of one *William Hudbolt* of *Hackney*: Three of the four came to *Hudbolt*'s Houſe, it being an Ale-houſe, about 6 a Clock at Night, and aſk'd for Lodging; telling the Man of the Houſe, That they wanted two Fellows that were run from their Colours: After they had ſat a while eating and drinking civilly, in comes four more, and immediately they made a Mutiny in the Houſe, pretending to Quarrel amongſt themſelves, one holding a Sword to the Woman's Breaſt, and put all the Family into diſorder and fear, penning them in a Room; then they rifled the Houſe, and took away a Mantua-Gown, val 4 s. a Looking glaſs, val. 18 *d.* a Silk Scarf, a White Hood, *&c.* Then one of them ſhot a Piſtol off, and *Mackdonel* fell down and feigned himſelf dead; and they ſwore great Oaths at the ſaid *Hudbolt*, and told him that he had kill'd the Man, and they would kill him; and that if he would give them 40 s. they would carry him off; Mrs. *Hudbolt* told them ſhe was poor, and had no Money; they forced her to go and borrow of her Neighbours, which was 3 s and 5 s. They broke open a Chamber-door and a Lock, and took ſeveral Parcels of Linnens, and let the Drink out of the Barrels, and away they run. The Evidence ſwore poſitively that they were all concerned in the matter of Fact, ſo they were all found guilty of Felony.

**Walter Batſon** was again ſingly tried for ſtealing a Muſquetoone, value 30 s. and 15 *l.* 10 s. in Money, from Mr. *John Hicks* of *Chelſey*: He came to the Houſe, and told them that he had an Order to ſearch the Houſe by Virtue of a Warrant from the Depury of the Mint; and he took an Inventory of the Goods in the Houſe, Mr. *Hicks* and his Wife being then in the Meſſenger's Houſe at *London*: He took away the Money above-ſaid, and the Muſquetoone; but ſaid withall, That if Mr. *Hicks* were Convicted, then he muſt give him the Money again. He found nothing ſuſpicious in the Houſe, and ſaid that Mr. *Hicks*'s Wine was very good, but his Ale was naught. It was not believed that he did it with any felonious Intent: So he was acquitted.

**Francis Weſt** was indicted and tried for ſcattering, ſelling, and expoſing the Picture of the Prince of *Wales*; and this he did by taking Notes under the Peoples hands to pay him for them when King *James* came to *England* again: The King Meſſenger ſwore, That they found Copper-plates with the Prince of *Wales*'s Effigies engraven upon it: And there were ſeveral Notes which he had taken to be paid; one of which was thus; *I promiſe to pay to Mr.* Francis Weſt, *the Sum* 10 s 9 d. *the ſame day that our Sovereign Lord King* James *ſhall come to* Whitehall. Witneſs my hand *Elinor Gratiam*. There were ſeveral other Notes to the ſame purport.

**Francis Weſt** was a ſecond time indicted for Publiſhing a Scandalous Libel, Entitled, *An Errata of the Proteſtant Bible, or the Truth of the* Engliſh *Tranſlation Examined*: In which were many moſt baſe, falſe, and ſcandalous Expreſſions, tending to the diſparagement of the Holy Bible, and the undervaluing of the Proteſtant Religion; There was another Book produced in Court, which the Priſoner owned to be his, and in the ſame it did appear, that he had ſold ſeveral of the Books to one *Matthew Turner*, near *Turn ſtile*, a Bookſeller: He was found guilty of a Miſdemeanor upon both Indictments.

**William Batſon, William Dando**, and **Jeremiah Beckford**, were again arraigned for making a Riot in the Houſe of *William Marriott*: To which they all pleaded guilty.

**Robert Walker** was tried for ſtealing a Silver Tankard value 5 *l.* a Lid of a Tankard value 15 s. and other Goods, from *Francis Edmonds*, the Evidence could not charge the Plate upon him; but he confeſt That he had ſtole 14 Glaſs Bottles from Mr. *Edmonds*: So he was found guilty to the value of 10 *d.*

**Robert Smith** and **William Labourne**, were both tried for ſtealing a Canvas-bag, value 1 *s.* and 100 *l.* in money, from *Francis Flower*: They were Plaiſterers working in the Houſe, and at that time the Money was miſſing; but none could be poſitive againſt them, and they had very credible Witneſſes on their ſides: They were both acquitted.

**Elizabeth Clover** was indicted for ſtealing five pair of Sheets, value 6 *l.* 10 s. two other pair, value 1 *l.* the Goods of *Moſes Kneves*. The King's Evidence was, That the Priſoner took the Cloaths away from a Waſher-woman, as ſhe was ſitting in the Street, and being purſued, ſhe dropt them. She had been branded before; She denied the Fact; She was found guilty of Fellony.

**Ann Clemens**, Wife of **William Clemens**, and **Elizabeth Tomlins** of Stepney, were both Indicted for High Treaſon, in Cutting, Clipping, and Diminiſhing the Currant Money of this Kingdom of *England*, *&c* Upon Evidence it appeared, That there was found in the Priſoner's houſe at *Poplar* Sixty Ounces of Clippings; and Six pair of Shears, and other Inſtruments fit for the Trade; which was fully proved, and they could not contradict it; They were both found guilty of High Treaſon.

**Thomas Lovedap** was tried for ſtealing 150 pound weight of Lead, value 9 s the Goods of *Robert Alderſhaw*, the ſubſtance of the Lead was in old Pipes, which a Witneſs, a Woman, told the Court ſhe bought of the Priſoner, and gave him 9 s 6 *d.* for it; ſhe aſk him where he had it; and he ſaid, that his Father ſent him to ſell it, which was falſe, as his Father teſtified in Court; he ſaid he found it in the Common-ſhore, which might be ſo; He was acquitted.

**Elizabeth Vaughan** was tried for making of Tyn Halfpence, and Tin Farthings, and uttering them in payment againſt the Law, *&c.* The Landlady where ſhe lodged, ſwore that ſhe pretended to her to be a Mantua maker; but ſhe hearing a knocking in her Room, and asking her what ſhe was doing; She replied, nothing, but heating of Pepper to boil in Milk But afterwards ſearching her Room, they found her at work and ſhe had a Bottle of Water that would turn the Farthings into Copper colour preſently. The Mold was brought, as alſo ſeveral of the new made Halfpence into Court; She denied the fact, but it was ſo plain againſt her, that ſhe was found guilty

**Jeremiah Bedford** was ſingly tried for changing Broad money for Narrow Clipt money, and uttering it in payment; but no Evidence appearing againſt him, he was diſcharged.

**Margaret Heritage**, Wife of **John Heritage**, was tried for ſtealing a Violin from Capt. *Charles Berkley*, Eſq; on the 27th day of *September* laſt; ſhe was met coming out at the Door

with the Fiddle in her Custody: She denied the fact, tho so plainly proved: She was found guilty to the value of 10 d.

**Rebekah Child** was tried for that she did on the 4th day of *May* last, steal a Stuff Gown, val. 10 s. a Petticoat 6 s. a flaxen Smock 3 s. &c. from *Sarah Barlow*, who swore, That the Prisoner and she coming out of the Country together, she robbed her as they lay together one Night in a Barn upon the Road: She was found guilty to the value of 10 d.

**Elizabeth Gray** was indicted for robbing Edw. Bright of St. *Martins in the Fields*, of a Trunk val. 10 d containing in it a Silver Spoon, val. 6 s. Two Poringers, val 40 s. Two Candlesticks, val. 4 l. Mr. *Bright* declared, That his Trunk being at a Friend's house, one *Thomas Smith* not yet taken, went by a false Token, and got away the Trunk, which afterwards was found in the Prisoner's Lodgings: But nothing affected the Prisoner; so she was acquitted.

**Dorothy Robinson** was tried for stealing a Silk Quilt, and a Dressing box, from Mr. *Peal*y's, and two Statute-books, val. 2 l. which she confest when taken: She said that she did it through Poverty: She was found guilty to the value of 10 d.

**Shadrach Cook**, formerly Curate of Islington, was tried for Forging and Counterfeiting the Lord *Nottingham*'s Hand and Seal, and making a false Passport, to convey one *Thomas Dawson* and his Family into *France*. The Evidence for Their Majesties deposed, That Mr *Cook* being at Mrs. *Merryweathers* House, he was seen to melt Wax with a Candle, and to pull a Broad Seal out of his Pocket, which he said was the Lord *Nottingham*'s, and press'd it upon the Wax; and when he had so done, he said to Mrs. *Merryweather*, Madam, look you, it is fairly done. And the Witness looking upon it, said, Madam, this is poor King *James*'s Seal, is it not? No, says Mrs. *Merryweather*, you Fool, it is the Lord *Nottingham*'s. Says the Witness again, If I could make such Seals, I would do it for all the Jacobites in Town. Furthermore, the Blank in the Passport was filled up with the name of *Thomas Dawes*. This was positively sworn, as also, that my Lord *Nottingham*'s hand was fairly written under the Warrant. Mr. *Cook* said, that what he did, was out of a Principle of Conscience. He was found guilty of a Misdemeanor.

**Sarah Duncomb** was tried for making a Felonious Assault upon *Thomas Spragg*, an Infant, in the High-way, and taking a Stuff-Coat off his Back, value 6 s. Mrs *Spragg* swore that the Prisoner confest the matter, but the Indictment was laid wrong, the Coat being the Child's in Law, they were laid to be the Father's. So she was acquitted of this Indictment.

**Katherine Arnold** was indicted for stealing divers goods, as Scarves, Gowns, &c. and 10 s. in money, but no Evidence appearing against her, she was immediately acquitted.

*The Trial of* Elizabeth Cook, *a Young* Dutchwoman, *for Picking the Pocket of one* John Powel, *a* Parson, *near* Ipswich.

ON *Friday* in the Evening, the 2d day of this Sessions, the Prisoner was brought to the Bar, and the Jury being sworn, the Indictment was read against her, as followeth; *Elizabeth Cook*, Hold up thy Hand: [Which she did.] Thou standest indicted by the Name of *Elizabeth Cook*, of the Parish of St. *Margarets Westminster*, in the County of *Middlesex*, Spinster, for that thou not having God before thine eyes, but being instigated and seduced by the Devil, a Leather Purse, val. 1 d. and 11 l. 10 s. in moneys numbred, thou didst privily and secretly steal, take, and bear away from the Person of the said *John Powel*, without his knowledge, and against his will. What sayest thou, *Elizabeth Cook*, art thou guilty of this Felony, or not guilty? *Eliz. Cook*, Not guilty. *Culprit*, How wilt thou be tried? *Cook*, By God and my Countrey. *Clerk*, God send you a good Deliverance, &c.

The first Evidence against her, was Mr. *Powel* the Parson, who being sworn, declared, That he came to *London* upon some particular affairs, and happened to go into the house to dinner, where the Prisoner was a servant, (it being a *Dutch* Ordinary), where she pickt his Pocket of the aboveſaid money, which he could never get again. The next Witness was the Old Woman that kept the Ordinary, who deposed, That the Parson after he had dined (observing the Features of the *Dutchwoman*, and indeed she was handsome) was so much smitten with her Beauty, that he was not able to contain himself, but immediately he fell a Courting of her, declaring that there was no Creature in the world that he esteemed more; and truly he followed his business so close, that the match was suddenly made up, and they were married in the House by a *Dutchman*, who read out of a *Dutch* Book, after the *Dutch* fashion. After which the Parson grew inflamed in Love with his New Bride, saying, My Dear, now we are married, we must go to Bed, which they did, and lay two nights together; after which, the Parson being willing to accommodate his new Wife, and to behave himself like a Gent'eman, gave her money to buy her some fine Cloaths, adding these words, *My dear, I will never leave you; God Almighty leave me, if ever I leave you.* And that when she had bought her Cloaths, he would take her to his Living in the Country, which in reality he never intended. For as soon as he had delighted himself, and took his fill of Love, he began to grow weary of her, and examining his Pockets, his Stock grew low, not of Confidence, but of the Coriander, which put him into a sudden and strange Consternation; but awaking from that drowsy fit, he began to ask for his Money, which was all bestowed before on his dear Mistress: Being in this sorrowful plight, he knew not what to take to; but the next thing the Devil put in his head, was to Indict his Mistress for a Robbery; which he did, to the disgrace of his Person and Character: For the Court told him that his Diocesan should be made acquainted what a fine Clerk he had in his Diocese. In the conclusion, the young *Dutchwoman* was acquitted of the Indictment; and the poor Parson was laught at for his pains.

*The Trials being over, the Court proceeded to give Sentence as followeth,*

*Burnt in the Hand, 16.*

Margaret Foster, Sarah Burrows, Mary Nace, Doncas Needham, Gertrude Smith, John Summers, James Bell, Mary Foreman, Martha Ward, Jane Lark, *alias* Lyon, Mary King, Hannah Woolly, Mary Clover, Ann Davis, Elizabeth Williams, Sarah Welsted.

*Received Sentence of Death, 22.*

William Noble, Mary Salter, Joseph Stephens, Abraham Anderson, John Aldgood, James Robbins, John Crittenden, Edward Deer James Gardner, Mary Compton, Mary Baker, James Grymstone, Thomas Percival, Cornelius Slayman, Arthur Denzy, Philip Mackdonnell, Nicholas Henderson, Mary Sherwood, John Chetwood, James Bennet, Ann Clemens, Elizabeth Tomlin.

*Ordered to be Whipt, 5.*

Cornelius Trough, Rebekah Walker, Margaret Heretage, Dorothy Robinson, Rebekah Child.

*To be Transported,* George Windor.

Mary Compton, Mary Sherwood, *and* Ann Clemens, *pleaded their Bellies, a Jury of Matrons were impannelled, whose Verdict was, that neither of them were with Child.*

*Fined.*

James Seaward 400 l. John Rowland 200 l. *And to stand in the Pillory.*

Jacob Dutchfeild 40 *Mark*

Walter Batson 20 *Mark*. William Dando 10 l. Jeremiah Bedford 10 l. *for the first Riot.*

*Fined for the second Riot.*

Dando 10 l. Bedford 10 l. Batson 20 *Mark*.

David Douglas 200 *Marks*. William Gowen 100 l.

Francis West *for the first Offence* 100 *Mark*. *For the second* 100 *Mark*.

Elizabeth Vaughan 10 l.

Shadrack Cook 200 l. *and to find Sureties for a Twelve Month; The Pillory remitted for his Function-sake.*

Ann Smith *was set by till further Order.*

After the Sentence was passed, these four Persons were called down upon their former judgment; *viz.*

*Ralph Matthews*, for Clipping.

*Elizabeth Ridgway*, *Catharine Davis*, *Mary Wilder*, } for Felony and Burglary.

*John Dyer* being often called, and not appearing to try his Traverse, his Recognizance was estreated, and a Warrant was issued out against him to take him up wherever he can be found, for Writing and Publishing false and scandalous News, to the Disparagement of the Government, and against the Peace of the Kingdom, &c.

*John Shadamore*, mentioned in the Tryal of *Douglas* and *Gowan*, appeared after their Tryal was over, and gave fresh Bail to appear next Sessions.

*The next Enſuing Sessions was order'd to begin at* Justice-Hall *in the* Old-Baily, *on* Wednesday *the 6th of* December *next, by Seven a Clock in the Morning.*

God Save King *WILLIAM* and Queen *MARY*.

*Sir* JOHN FLEET, *Mayor*.

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ADVERTISEMENT.

The Tryal of the Midwife will be published at large in a day or two.

*LONDON*: Printed for *Richard Baldwin*, near the *Oxford-Arms* in *Warwick Lane*. 1693.

# THE TRYAL OF JOHN FOSTER, for Stealing a Mag-pye.

*The Tryal of* John Foster *a private Centinel, at Justice-hall in the* Old Bayly *in* London, *on Friday the First Day of* June *in the Year of Our Lord* 1683. *and in the Five and Thirtieth Year of his Majesties Reign, &c. For Felony, in Stealing a certain Live Pye called or known by the Name of a Mag pye, and a Cage, at the Parish of* New Brandford *in the County of* Middlesex.

THE Court being set, and Proclamation made for silence, as is usual, the Court proceeded as followeth;

*Clerk of the Crown.* Keeper of *Newgate*, bring the Body of *John Foster* to the Bar, (which was done). *John Foster* hold up thy Hand, (which he did) thou standest Indicted for Felony by the Name of *John Foster* of the Parish of *Hanwell* in the County of *Middlesex*, Labourer, as in the Indictment is set forth, *&c.* What sayest thou *John Foster*? Art thou Guilty of this Felony whereof thou standest Indicted, or Not Guilty?

*Foster.* Not Guilty, my Lord.

*Clerk of the Crown. Culprit*, How will you be Try'd?

*Foster.* By God and my Countrey.

*Clerk of the Crown.* God send you a good Deliverance.

After which the Prisoner was taken from the Bar, and within a little time after that, he was set to the Bar again by Order of Court, *&c.*

*Clerk of the Crown. Cryer* make Proclamation.

*Cryer.* O yes, if any one can inform Their Majesties the King and Queen's Justices, Their Serjeant, Their Attorney, before this Inquest be taken, between our Sovereign Lord and Lady the King and Queen, and the Prisoner at the Bar, of any Felonies, Treasons, or Misprision of Treason, let them come forth and they shall be heard. God save King *William* and Queen *Mary*.

*Court. Amen.*

*Clerk of the Crown.* You the Prisoner at the Bar, these Men that you shall hear call'd, and personally do appear, are to pass between our Sovereign Lord and Lady the King and Queen, and you, upon Trial of your Life and Death; if you will challenge them, or any of them, your time is to speak to them as they come to the Book to be Sworn, and before they be Sworn.

The Prisoner made no Exceptions, and the Jurors Sworn to Try the Issue are these Gentlemen whose Names follow, who were called over, and appeared every one at the first Call.

## JURORS.

| | |
|---|---|
| *Matthias Capper.* | *Henry Cripps.* |
| *Crisp Grange.* | *Charles Longland.* |
| *John Hyde.* | *John Holding.* |
| *Robert Hyde.* | *Robert Longland.* |
| *Paul Winkle.* | *Francis Barry.* |
| *William Webb.* | *Emanuel Davis.* |

*Clerk of the Crown. Cryer* count these.

*Cryer.* One, two, three, *&c.* Twelve good Men and true, stand together and hear your Evidence.

*Clerk of the Crown. John Foster* hold up thy Hand, (which he did); Gentlemen of the Jury, and you that are Sworn, look upon the Prisoner, and hearken to his Cause; he stands Indicted by the Name of *John Foster* of the Parish of *Hanwell* in the County of *Middlesex*, Labourer, for that he the 14th day of *May*, in the Fifth Year of the Reign of our Sovereign Lord and Lady the King and Queen, with Force and Arms, at the Parish aforesaid, in the County aforesaid, one Bird called a Mag pye value Two-pence, and one Bird-Cage value Four-pence, the Goods and Chattels of one *Robert Connisbey* Gent. then and there being found Feloniously, he did steal, take, and bear away, against the Peace of our Sovereign Lord and Lady, the King and Queen, Their Crown and Dignity, *&c.* To this Indictment he hath pleaded Not Guilty, and for his Tryal he hath put himself upon God and his Countrey, which Countrey you are; your Business is to enquire whether he be Guilty or Not Guilty; if you find him Guilty, you are to enquire of his Goods and Chattels, and whether he fled for it; if you find him Not Guilty, nor that he did fly for it, say so, and no more, and hear your Evidence.

*Cryer.* Call *Robert Connisbey* and *Richard Swaine*, who appeared in Court and were Sworn, and Mr. *Connisbey* stood up.

*Court.* Come Sir, what have you to say against the Prisoner at the Bar about a Mag-pye that you lost?

Mr. *Connisbey.* My Lord, I lost a Mag pye and a Cage the 14th. of *May* last, it was taken from my Door off the Hook that it hung upon; but truly, my Lord, I can't say the Prisoner at the Bar stole it from me.

*Court.* What made you bring him here then? It is a very small inconsiderable Business to put a Man into Custody for.

Mr. *Connisbey.* My Lord, it was none of my doings, it was the Justice of Peace his fault that committed him, I was unwilling he should go to Prison; I am sorry it happened so, my Lord.

*Court.* What is the Justice of Peace his Name?

Mr. *Connisbey.* His Name is *Hawley*, my Lord.

*Court.* Pray where does he Live?

Mr. *Connisbey.* At *New Brandford*.

*Court.* He was but a foolish man for his pains to commit a poor Fellow to Goal for such a silly trifling business as this is; he had better have sent him to his Captain, and let him run the Gantlet, *&c.* Have you any other Witness, Sir?

Mr. *Connisbey.* I have no more, but the Constable that took the Prisoner.

*Court.* Took him, d'ye call it, why surely you had no great difficulty about the taking of him, he was not in such fear as to run away for a Mag-pye; however we will hear the Constable.

*Clerk of the Crown.* Stand up, Mr. *Constable*, (which he did).

*Court.* Is the Constable Sworn.

Mr. *Constable.* Yes, my Lord, I am Sworn.

*Court.* Come Mr. *Constable*, what say you to the matter? Do you know the Prisoner at the Bar

Mr *Constable.* Yes, my Lord, this Gentleman brought me a Warrant from Mr. Justice *Hawley* against the Prisoner at the Bar, and I serv'd it upon him at his Quarters at *Old Brandford*, where I found the Cage and a Mag-pye, and I took them and the Prisoner, and carried them before Mr Justice *Hawley*, and his Worship was pleased to commit the Fellow to Prison.

*Court.* Poor Fellow! Friend, how long hast thou been in Prison?

*Foster.* Almost three Weeks, my Lord, and I have endured a great deal of hardship, and many a hungry Belly I am sure, God help me; I am very poor, my Lord.

*Court.* Hark you, Mr. *Connisbey*, pray what did the worthy Justice of Peace bid you do with the Mag-pye after he had committed the Prisoner?

Mr. *Connisbey.* My Lord, he order'd me to keep the Mag-pye and the Cage safe till the Bishop of *London's* Bayliff came for it, it being a Waife, he said it was forfeited to the Lord of the Manner, at which the Court laughed heartily.

*Court.*

*Court.* Pray Mr. *Connisby* what was your Mag-pye worth, and your Cage; was it a Wyer-Cage?

Mr *Connisby.* Worth, my Lord, I do not know well what it was worth, about a Groat or Sixpence, as the Indictment sets forth; the Cage was a Twiggen Cage.

*Court.* Fie, fie! a silly business, a wise Justice indeed! he deserves to be committed himself, till he learns more wit; have you done for the King and Queen Mr. *Connisby?*

Mr. *Connisby.* I have no more to say, my Lord, I would not have come here to say this, if I could have helped it

*Court.* Come Mr. *Foster*, you have heard what hath been sworn against you; now make your Defence.

Mr. *Foster.* My Lord, Indeed my Lord, I did not steal the Mag-pye; there was a man overtook me (a Stranger to me) in the way between the Two *Brandfords*, and desired me to carry the bird and the Cage for him, which I did; and when we came to *Old Brandford*, he desired me to keep it, till he call'd for it; he went away, my Lord, but never came any more; so, my Lord, I was loath to kill the Bird, and I did not know whose it was, if I had, I would have restor'd it to the Owner.

*Court.* A good Defence. Look you, Gentlemen of the Jury, The Prisoner at the Bar, *John Foster*, stands indicted of Felony for stealing a Mag-pye, and a Cage, of the value of 6 *d.* which is a very inconsiderable value.

And you have heard the Evidence for the King, who told you that the Mag-pye was lost, and that it was found upon the Prisoner; but Mr *Connisbey* does not take upon him to swear that the Prisoner stole it from him; and the Prisoner he denies it, and tells you, That truly he did not take it away, but that he had it of a Stranger that he accidentally met withal upon the Road between the Two *Brandfords*, therefore I don't see any colour of Evidence against the Prisoner: And I must needs say it was a very simple weak thing done of the Justice of Peace to commit the poor Fellow for such a Trifle; I shall leave it to you to consider of the Evidence, and if you find *him* guilty, you are to say so; but if you think *in your* Conscience that he did not steal the Mag-pye, *then* you are to acquit the Prisoner. You had best go over to each other, and consider; you need not give your selves the trouble to go out of the Court about such a small indifferent matter as this.

Then the Jury having considered of their Verdict, and being return'd to their Seats; the Court spake as followeth.

*Clerk of the Crown.* Gentlemen of the Jury, are you agreed of a Verdict?

*Jury.* Yes.

*Clerk of the Crown.* Keeper, set *John Foster* to the Bar (which was done).

*Clerk of the Crown. John Foster* hold up thy hand (which he did); Gentlemen of the Jury, look upon the Prisoner; how say you, is he guilty of the Felony whereof he stands indicted, or not guilty?

*Fore-man.* Not guily.

*Court.* Keeper, bring the Prisoner about into the middle of the Court (which was done)

*Court.* Look you, *Foster*, because you are a poor man, the Court has considered of your Condition, and acquitted you of the Fees; get you home about your business, but have a care how you meet with a Mag-pye again.

*Foster.* Indeed, my Lord, I will; Pray God bless King *William* and Queen *Mary*, and all the Honourable Bench. God be with you, my Lord.

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*These Seven Printed for* Richard Baldwin.

*These are to give notice to all Persons for the benefit of the Publick, That* W. Elmy, *Professor of Physick, and* Operator, *of known Integrity, and above* 25 *Years Practice, liveth at the* Blue Ball *in* White-Bone-Court, *at the lower end of* Bartholomew Lane, *by the* Royal-Exchange. *Who most safely and expeditiously cures* Deafness, *and* Noise *in the* Ears, *in any, of what Age soever, (if curable) and at first sight by inspection resolves the Patient, if so or not, as most eminent Persons of Quality in this City can testifie. I have Remedies ready prepared for the preservation of the Hearing in those who through some great defects in the Sounding Membrane, and other Impediments in the Auditory Passages are not perfectly curable, which Remedies preserves them from ever growing worse, and improves their Hearing to Old Age. That you may not mistake and go to a false Pretender, my House is at the* Blue-Ball, *as aforesaid, you may see it as you come into the Court.*


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*LONDON*: Printed for *Richard Baldwin*, near the *Oxford Arms* in *Warwick Lane*. 1693.

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London.
K. Middlesex Sessions. Old-Bailey.

# THE PROCEEDINGS OF THE King and Queens Commissions ON THE

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*Peace*, and *Oyer* and *Terminer*, and *Gaol-Delivery* of *Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex* at *Justice-Hall* in the *OLD-BAYLY*,

On *Wednesday*, *Thursday* and *Friday*, being the 18*th*, 19*th*, and 20*th* Days of *April*, 1694. *And in the Sixth Year of Their MAJESTIES Reign.*

THE Sessions of *Peace*, and *Oyer* and *Terminer*, and Gaol-Delivery of *Newgate*, held at *Justice-Hall* in the *Old-Bayly*, on *Wednesday*, *Thursday* and *Friday*, being the 18*th*, 19*th*, and 20*th* Days of *April*, 1694. before the Right Honourable Sir *William Ashhurst* Kt. Lord Mayor of the City of *London*, and Sir *Salathiel Lovell* Kt. Recorder of the said City, with several others of Their Majesties Justices for the City of *London*, and County of *Middlesex*:

*The Jurors were as follow:*

| London Jury. | Middlesex Jury. |
|---|---|
| *Joseph Howe,* | *Timothy Thornbury,* |
| *Tobias Winn,* | *Joseph Stephens,* |
| *William Head,* | *John Webber,* |
| *Jonathan Heath,* | *John Skinner,* |
| *Robert Williamson,* | *William Osseter,* |
| *Robert Swynsen,* | *Joseph Bowler,* |
| *James Dovey,* | *Thomas Nichols,* |
| *John Smith,* | *Thomas Rammidge,* |
| *John Warren,* | *Thomas White,* |
| *Daniel Lock,* | *Ralph Harwood,* |
| *Robert Cranstone,* | *John Akres,* |
| *John Deacon.* | *William Hembrick.* |

**William Towers** was Arraigned for stealing one Yard of Flower'd Tabby, value 8 *s.* from *Samuel Tippet*, two Yards of Flower'd Silk from *Elizabeth Cooper*, and two Yards from *John Conyers*. To which Indictment he pleaded Guilty.

**Isaac Skellum** was Indicted for Robbing *Thomas Parrot*, on the 26th of *March* last, of 20 Buck-skins, value 10 *l.* To which he pleaded Guilty.

**Sarah Tanner** was Arraigned for stealing on the 7th Instant, from *Samuel Howard* and Partners, Six Yards of Muslin-Cloth, value 50 *s.* which she confest.

**Ralph Lee** was likewise Arraigned for robbing *Walter Rose* of a Weather-Sheep, value 25 *s.* To which Indictment he pleaded Guilty.

**Elizabeth Gardner** was Arraigned for committing a Notorious Robbery in the House of Mr. *Richard Barnell*, carrying away 69 Yards of Lute-string, value 13 *l.* 50 Black Hoods 4 *l.* 11 *s.* 20 Yards of Ribboning, 20 *s.* 27 Yards of Gawze, 30 *s.* 12 Yards of Black Silk 19 *s.* two Womens Black Laced Tippets 10 *s.* two Shirts 10 *s.* 1000 Pins 9 *d.* 12 Silk Scarfs 24 *s.* and several other Goods of value, which she immediately confest upon the Arraignment.

**Elinor Johnson** was tried for stealing 14 Yards of Strip't Hair-Shagg, value 40 *s.* from *James Frucher*, and *Arnold Rabbey*. She came into the Shop, and took away the Shagg; which was found upon her as she was going out at the door, which was a plain Evidence: so she was found guilty of Felony.

**Richard Smith**, an Ostler at the Nags-head in *Grubstreet*, was first Tried for making an Assault upon *Mary Petts* a Virgin, 15 years of Age, in the Highway, and taking away from her a piece of Gold which she had for the King's-Evil, value 10 *s.* He was a second time Tried for committing a Rape upon the Body of the said *Mary Petts* at the same time; who swore that the Prisoner met her on *Honslow-heath* alone, and stopt her, and offer'd great Violence to her, and ravish'd her, and robb'd her, and put her in great fear, and then took away her money, and had carnal knowledge of her Body; altho she cried out, and strugled with him, yet he was too hard for her, laid her upon the ground, threatned to stab her with his Knife, if she did not cease her Noise. The Mother of the Girl swore, That when her Daughter came home, she found her much abused in her privy parts, and that there was a great effusion of Blood issued from her, which was occasioned by some Violence used, and did not proceed meerly from a Natural Cause. The Girl swore the Rape and Robbery very home upon him: And altho the Prisoner had some Gentlemen appear'd on his behalf, who gave a fair Account of his Life, yet the matter was so foul at the bottom, and so ill resented, that it

it would prove of dangerous Conſequence to ſuffer ſuch evil doings to go unpuniſhed, that the Jury found him Guilty of both the Rape and the Robbery. *&c.*

**Francis Dodd** was Tried for Robbing *Elizabeth Lanſdell* Widow, on the 18th day of *March* laſt, in *Leaden-hall* Market, of Eight *French* Piſtoles of Gold, Nine Twenty-ſhilling pieces of Gold, 20 Broad-pieces of Gold, and 150 Guinea's, all to the value of 263 *l.* Mrs. *Lanſdell* ſwore that ſhe loſt her Gold on a Sunday when ſhe was at Church, which was lockt up in a Drawer; and her Maid declared upon Oath, that the Priſoner was in the houſe above two hours, by himſelf, above Stairs; and when he came down, he told the Maid he had money and Gold enough, and he would carry her to *Ireland*, and leave his Wife behind him at *London*, pretending more Love to her than to his Wife. She further depoſed, That the Priſoner made Love to her, altho he had a Wife of his own, and deluded her with his fine Tongue, and got 32 Guinea's from her without Bond or Note. The Priſoner denied the Fact, and called ſeveral of his Neighbours, who gave account that he was a Perſon of a fair Reputation, a Hatter by Trade, had no need to ſteal. Beſides, none could ſwear poſitively that he ſtole the Gold; indeed there was Gold found in his houſe, but that was the Maid's Gold ſhe lent him. He was Acquitted.

**Ann January** and **Mary Stephens** were both Arraigned in one Indictment, for ſtealing three Curtains, value 10 *s.* from *Owen Parry* of St. *James Garlickhithe*, on the 9th of *March* laſt. *Stephens* confeſt the Fact, but *January* would not; whereupon ſhe was tri'd, and found guilty.

**Edward Lock** was tried for ſtealing from *Andrew Carter* of St. *Martin's Ludgate*, 20 Ounces of Stiching Silk, value 20 *s.* He came to buy Silk at Mr. *Carter's* Shop (being a Taylor) and while Mrs. *Carter* was matching his Cloth with Silk, he ſlipt the 20 Ounces of Silk into a Bag that he had; Mrs. *Carter* having a ſuſpicion of him, ſtopt him, and found the Silk in the Bag; which was fully proved: He had little to ſay for himſelf, but wept, and expreſſed his ſorrow for the Fact: He was found Guilty.

**H—— E—— Martin Raymond, Amy Laskey, Margaret Raymond** and **Rebecca Raymond**, al alſo **Amy Ellis**, not taken, were all indicted for Felony in ſtealing from *John Nichols*, Gent. of St. *Dunſtan's* in the Weſt (on the 8th of *March* laſt) 2 Silver Baſons, value 16 *l.* 2 Salvers 11 *l.* 3 Porringers 9 *l.* two pair of Candleſtick Sconces 8 *l.* a Sugar-box 55 *s.* a Pepper-box 55 *s.* two Salts 20 *s.* one Silver Tankard 8 *l.* 9 Spoons 4 *l.* 10 *s.* 10 Forks 5 *l.* a Guinea, a Laced Tippet 20 *s.* a Silk Waſtcoat 25 *s.* a Pair of Breeches 15 *s.* &c. *H*— and *Laskey* pleaded guilty upon the Arraignment, but the other three put themſelves upon their Trial, and Mr. *Nichols*, with others, ſwore that *Exeter* was his Servant, and that *Laskey* and the reſt were wont to come to her to an Alehouſe near his Houſe, and on the day of the date aforeſaid; the Maid *H*—— went away, upon which the Plate was immediatly miſſing; *Martin Raymond* was heard to confeſs, that he had made a Bill of Sale of the Plate to a Broker, and that he had 5 *l.* in Mill'd Money to his ſhare; but none could ſwear that either he or the ſaid *Margaret* and *Rebecca* had any hand actually in the Robbery. So they were all acquitted.

**James Langly** was tried for ſtealing four Pewter Plates, value 5 *s.* 8 *d.* but the Evidence was not poſitive againſt him: So he was acquitted.

**Mary Eaſton**, Wife of **Alexander Eaſton**, was indicted for privily ſtealing from *James Edwards*, out of his Pocket, three Guineas and 50 *s.* in Money after this manner. *Edwards* being a little in drink, he met with the Priſoner, who finding he had Caſh about him, ſhe firſt tempted him to drink, and then enticed him to her Bed in *Church-lane* in *Whitechappel*, where he lay down to ſleep, but when he awaked he had no Money; After which the Woman was found in *Goodman's* Fields at the *John Baptiſt's-head* with a piece of Gold and ſome Silver about her: The Priſoner ſaid ſhe met the Proſecutor, and that he was very rude with her, and would have given her Money to debauch her, with ſeveral other feigned Stories; and that he pretended to come from her Husband at Sea; but *Edwards* ſwore poſitively to a 5 *s.* piece that was found about her; the Priſoner could not give any good account of her Reputation; yet *Edwards* might be miſtaken in his Piece; and ſhe alledged that ſhe found it upon the Bed after he was gone: She was acquitted.

**Jane Oney**, Wife of **John Oney**, of St. *Giles's* without *Cripplegate*, was tried for robbing *Thomas Sherwood* on the 6th of *February* laſt of a Flaxen Sheet, value 5 *s.* and ſix pound of Feathers, value 6 *s.* She came to Mrs. *Sherwood's* Houſe to lodge, and having lain one Night there in company with two other men (one of which ſhe called her Husband) they went away with the Goods; but ſhe having a Husband, what ſhe did was in obedience to his Command. So ſhe was Acquitted.

**Edith Tyteman** was tried for robbing *Mary Wyley* (together with *Hannah Belcher*, not yet taken) of 24 Napkins, value 5 *s.* 7 Pewter Diſhes, a Candleſtick, a Kettle, and a Bible: To which ſhe pleaded guilty.

**Elizabeth Hudſon** and **Elizabeth Howard** were both arraigned upon an Indictment of Felony, for ſtealing from *Rich. Kigbey* of St. *Bridget's* Pariſh 27 yards of Strip'd Luteſtring, value 5 *l.* unto which Indictment they both pleaded guilty.

**Elizabeth Smith** alias **Bird**, was tried for robbing *Nicholas Wade* on the 22d of *March* laſt of 16 pound weight of courſe Worſted Cruel, value 40 *s.* She came to the Shop of Mr. *Wade*, and lifted the Goods off the place where they lay, and ran away with it; but being purſued, ſhe dropt it in the Street, which ſhe confeſt when brought before the Juſtice of Peace; beſides, *Wades* Neighbour ſaw her drop the Goods, which were owned by Mr. *Wade* to be his; the matter was plain againſt her. She was found guilty.

**William Turbit** was tried for robbing *Richhard Pymm* on the 6th of *January* of a 14 pound weight of Iron, value 2 *s.* which was found in the cuſtody of one *William Pitsfield*, which he bought of the Priſoner, and was owned by Mr. *Pymm* to be his Weight. The Priſoner ſaid he bought it of a ſtrange Woman, and he had a good Repute amongſt his Neighbours; the matter ſeemed obſcure, and the Priſoner to be honeſt: So he was acquitted.

**William Stafford** was tried, for that he, together with *John Stafford* and *John Evans*, not taken, did rob his Master Sir *Thomas Bridges* Knight and Baronet, of St. *Paul's Covent-Garden*, of a Gold and Silver-flower'd Laced pink silk Gown, value 20 *l.* an Indian silk Gown 5 *l.* a Damask Petticoat laced with Gold Lace 10 *l.* a Watch 3 *l.* two Gold Rings set with Diamonds 18 *l.* a Cup 4 *l.* two Spoons 15 *s.* a silver Hilt of a Sword 30 *s.* a Cloth-Coat 3 *l.* one yard and a half of Black Cloth 40 *s.* a pair of Stockins 5 *s.* a rich Nightroyle 6 *l.* two pair of Laced Smock-sleeves 40 *s.* a Laced Handkerchief 30 *s.* a Twenty shilling piece of Gold, and some other Gold, besides 10 *s.* in Money: Sir *Thomas Bridges* swore that the Prisoner was his Servant, and brought the other two to his House, under pretence of making love to his Maid, and so robbed him, whilst he and his Lady was abroad at Dinner, and one of the Rings was found tied up in a Handkerchief about the Prisoner's Neck in *Newgate*; so that it was very plain that he was abetting the other in the Robbery; and he did as it were own that he was tempted to it by a Woman who call'd her self *Mitchell*, and was formerly the Golden Farmer's Wife, but she was not to be found: He was found guilty of the Felony.

**Henry Adderton** was indicted and tried for stealing a Goldsmith's Shewglass from Mr. *John Ashfield* near *Temple-Bar*, in which was contained 3 Diamond Rings, val. 18 *l.* 4 Turkey Stone Rings, set with Diamonds 9 *l.* two other large Turkey Stone Rings, set with Diamonds 36 *l.* 6 other Rings 18 *l.* a Garnet Ring 12 *s.* two pair of Diamond Ear-Rings 14 *l.* 3 Cornelian Rings 36 *s.* and 22 *l.* in Money. The Prisoner was seen at Mr. *Ashfield's* Shop, in company of three more men when the Robbery was done; and he shifted his Lodging two or three times presently upon it, and at last he was taken in *Newgate*, where he went to see a Brother of his; and the Prisoner was seen at the *Noah's Ark* Tavern in St. *Giles's*, where some of the Goods were shared amongst them: The Prisoner called some of his Neighbours, who said he was a civil Young Man, and always behaved himself fairly, *&c.* and the Evidence was not strenuous enough against him to satisfy the Jury that he was guilty. So he was acquitted.

**Margaret Evans** was Arraigned for stealing six Silver Spoons, value 4 *l.* from *Katherine Harlachy* Widow, to which Indictment she pleaded guilty.

**Matthew Pryor**, alias **Draper**, the *Hitchin* Coachman, was Indicted, for driving the near Wheel of his Coach against the Left Leg of one *Ann Hewetson*, Wife of *John Hewetson*, giving her a Bruise, of which she languish'd from the first of *February* to the 22d, and then died. The Prisoner was driving his Coach in *Smithfield*, in the dusk of the evening, and the Woman hapned to be in the way, and the Wheel of the Coach did accidentally run over her Leg, and broke it. But it not appearing that he did it wilfully, by expressing his sorrow for so sad an Accident, said he was not sensible of it, being dark; and no one could swear positively that he designed to hurt the deceased; he was thereupon Acquitted.

**Margaret Wright** was Indicted for robbing Mr. *John Mennel* of 18 Yards of Muslin, value 5 *l.* on the 2d of *March* last. She came to the Shop of Mr. *Mennet* at the *Three Nunns* and *Hare* in *Cheapside*, and pretended she kept the *Saracens-head* Inn in *Friday-street*, and bargained for as much Linen as came to 20 *l.* which she desir'd might be sent home, and after she came from *Newgate-market*, she would pay Mr. *Mennel* for it. This was only a Trick put upon Mr. *Mennel*, for really she was no such person, neither did she keep the said Inn; yet by her Art of Legerdemain, she pincht away the Muslin. She denied the Fact, and had no Witness to speak on her behalf, she was found guilty.

**John Bunny** was Arraigned for stealing a Hair-colour'd Silk Gown, value 12 *l.* one Silk Petticoat 8 *l.* a Damask Gown 7 *l.* a Damask Petticoat 3 *l.* one Night-Gown 40 *s.* a Scarf 4 *l.* a Wastcoat 3 *l.* with 5 *l.* in money: But there being no Evidence against him, he was Acquitted.

**Thomas Holles** and **Mary Holles** were Tri'd, for that they, with one *Thomas Mitchell*, broke open the House of Mrs. *Arabella Owen* Widow, in *Long-Acre*, on the 24th of *March* last, about Six of the Clock in the evening; the Goods taken away were, *viz.* a Trunk, value 18 *d.* a Picture set in Gold 5 *l.* four gold Rings 40 *s.* two diamond Rings 10 *l.* three Spoons 30 *s.* a silver Cup 8 *s.* two gold Ear-rings 5 *s.* two Bodkins 3 *s.* two silver Watches 4 *l.* a Leather Purse, containing 40 *Jacobus* pieces of Gold 47 *l.* and 31 Guineas, *&c.* The Goods were contained in the Trunk, which was taken away while she was abroad, and *Thomas Holles* was seen in the Entry of the House at the time the Robbery was done. He had been a Lodger in the House a little before, and possibly might well enough know that the Prosecutor had a great deal of money. Another Evidence swore, That *Thomas Holles* entic'd him to join with him in the committing of the Fact. *Thomas Holles* repli'd, He knew nothing of it, and that the Witness would swear a man's Life away for a Farthing. To which the Evidence answer'd, That *Holles* told him one time when they were upon the Centry together at *Whitehall*, (being private Soldiers) that he would rob Mrs. *Owen* of the Trunk and Goods. *Mary Holles* denied the Fact, saying she was wholly innocent; altho it was prov'd she left a Hammer behind her upon the Bed of Mrs. *Owen*, which she affirm'd was her Hammer. Besides all this, *Tho. Mitchell* a Wheeler was seen at one Mr. *Abryhals* in *Grays-Inn-lane*, with a Watch in his Pocket, and full of Gold, which was own'd by Mrs. *Owen*: But all this being but circumstantial Evidence, they were both Acquitted.

**Susanna Hobbs** was Tried for stealing from *Edward Rich* a Silk Scarf, value 4 *l.* The Witness was Mrs. *Rich*, who said that she found the Scarf upon the Prisoner's Neck as she went by her door; but it was alter'd, the Fringe being taken off. The Prisoner proved by her Witness, that there was no Fringe upon it; and that her Husband bought it of one Mr. *Crowder*, which was credited by the Jury, insomuch that she was Acquitted.

**Jonathan Easden** of *Stepney* was Tried, for that he, not having God before his eyes, but being instigated and seduced by the Devil, the 2d day of *December* last, made an Assault upon *Ann Roberts*, great with Child, the Wife of *Thomas Roberts*, taking her up in both his Arms, and throwing her against a wooden Step, giving her a mortal Bruise upon the Left part of her Belly, of which she died the 8th of

*March*

*March* following, the Child being bruiſed in her Womb by the Fall, *&c.* All which *Eaſden* pretended to do ( as was ſworn againſt him ) becauſe ſhe ow'd him money ) to wit, the Sum of 26 *s.* and that he came to arreſt her for it, which he owned in Court. But the cauſe of the Arreſt beſides was, that the ſaid *Ann Roberts*, and her Miſtriſs, ( one Mrs. *Young* ) had abuſed him, and called him *Perjured Rogue*, &c. And that Mrs. *Young* was an ill Woman, and a Bawd. But that did not appear; for, on the contrary, ſhe liv'd in good Repute, her Husband being an Anchor-Smith, and maintain'd her by his honeſt Labour. The Priſoner utterly deni'd that ever he was in the houſe, or touch'd the deceaſed, and called ſome Witneſſes, who declared, That the Woman was well in health after the Hurt was done, and a great deal of malice appeared to be betwixt them, and no poſitive proof was againſt him as to the matter of Fact; beſides, he had Witneſſes to prove for him, that the Woman owned before ſhe died, that Mr. *Eaſden* did her no harm: So upon the whole, he was Acquitted.

**John Lawe**, of St. Giles's in the Fields Gent, was Arraigned upon an Indictment of Murther, for killing one *Edward Wilſon* Gent. commonly called *Beaux Wilſon*, a Perſon, which by the common Report of Fame, kept a Coach and ſix Horſes, maintained his Family in great Splendor and Grandeur, being full of money, no one complaining of his being their Debtor; yet from whence, or by what hand he had the Effects which cauſed him to appear in ſo great an Equipage, is hard to be determined. The manner of Fact was thus: There was ſome difference hapned to ariſe between Mr. *Lawe* and the Deceaſed, concerning a Woman, one Mrs. *Lawrence*, who was acquainted with Mr. *Lawe*; upon which, on the 9th of *April* inſtant, they met in *Bloomsbury-Square*, and there fought a Duel, in which Mr. *Wilſon* was killed. It was made appear alſo, that they had met ſeveral times before, but had not opportunity to fight. Beſides, that there were ſeveral Letters ſent by Mr. *Lawe*, or given to Mr. *Wilſon* by him; which Letters were very full of Invectives, and Cautions to Mr. *Wilſon* to beware, for there was a deſign of Evil againſt him; and there was two Letters ſent by Mr. *Wilſon*, one to Mr *Lawe*, and the other to Mrs. *Lawrence*. Mr. *Wilſon*'s man, one Mr. *Smith*, ſwore that Mr. *Lawe* came to his Maſter's houſe a little before the Fact was done, and drank a Pint of Sack in the Parlor; after which, he heard his Maſter ſay, That he was much ſurprized with ſomewhat that Mr. *Lawe* had told him. One Captain *Wightman*, a perſon of good Reputation, gave account of the whole matter, and ſaid, That he was a familiar Friend of Mr. *Wilſons*, and was with him and Mr *Lawe* at the *Fountain* Tavern in the *Strand*, and after they had ſtaid a little while there, Mr. *Lawe* went away, after which Mr. *Wilſon* and Captain *Wightman* took Coach, and were drove towards *Bloomsbury*; whereupon Mr. *Wilſon* ſtept out of the Coach into the *Square*, where Mr. *Lawe* met him; and before they came near together, Mr. *Wilſon* drew his Sword, and ſtood upon his Guard. Upon which, Mr. *Lawe* immediately drew his Sword, and they both paſs'd together, making but one Paſs, by which Mr. *Wilſon* received a mortal Wound upon the lower part of the Stomach, of the depth of two Inches, of which he inſtantly died. This was the Sum of the Evidence for the King. The Letters were read in Court, which were full of Aggravations on both parts, without any Name ſubſcribed to them. There were other Witneſſes that ſaw the Duel fought, who all agreed in their Depoſitions, that they drew their Swords, and paſs'd at each other, and preſently Mr. *Wilſon* was killed. Mr. *Lawe*, in his defence, declared, That Mr. *Wilſon* and he had been together ſeveral times before the Duel was fought and never no Quarrel was betwixt them, till they met at the *Fountain* Tavern, which was occaſioned about the Letters; and that his meeting with Mr. *Wilſon* in *Bloomſbury* was meerly an accidental thing, Mr. *Wilſon* drawing his Sword upon him firſt, upon which he was forced to ſtand in his own defence. That the misfortune did ariſe only from a ſudden heat of Paſſion, and not from any Propenſe Malice. The Court acquainted the Jury, That if they found that Mr. *Lawe* and Mr. *Wilſon* did make an Agreement to fight, though *Wilſon* drew firſt, and Mr. *Lawe* killed him, he was ( by the conſtruction of the Law) guilty of murder: For if two men ſuddenly quarrel, and one kill the other, this would be but Manſlaughter; but this Caſe ſeemed to be otherwiſe, for this was a continual Quarrel, carried on betwixt them for ſome time before, therefore muſt be accounted a malicious Quarrel, and a deſign of murder in the perſon that killed the other; likewiſe that it was ſo in all Caſes. The Tryal laſted long, and the Priſoner had perſons of good Quality, who gave a fair account of his Life in general, and that he was not given to Quarrelling, nor a perſon of an ill Behaviour. The Jury having conſidered of a Verdict very ſeriouſly, they found that Mr. *Lawe* was guilty of Murder.

**John Neal** was tried for ſtealing 17 yards of Silk Lute-ſtring, value 3 *l.* on the 30th of *January* laſt, the Goods of *George Maſon* of St. *Martin's Ludgate*; the Priſoner confeſt, when taken, that his Wife bought the Silk, and that when he came to be taken, he lifted his Wife over the Pales to make her eſcape, and in all likelihood his Wife ſtole the Silk; there was no poſitive proof, and he ſaid he had it of his Wife; he was reputed to be a very honeſt man by his Neighbours, working hard for his living (being an Inkhorn-maker by Trade. He was acquitted.

**Mary Slaughter** was tried for ſtealing from Mrs. *Suſannah Stanes*, Widow, 4 yards of Flanders Lace, value 3 *l* and two yards of Maklin Lace 40 *s.* The Priſoner was a Servant to the Proſecutor's Mother when the Robbery was done, and ſhe took occaſion to quarrel with her, and went away with the Lace; and when charged with the Fact, ſhe ſaid *What ado here is about a little filly Lace, I can but pay for it.* She had nothing material to offer for her ſelf; yet there being no poſitive proof; She was acquitted.

**Margaret Tomkins**, Wife of **Charles Tomkins**, was arraigned for ſtealing a Sheet, value 8 *s.* a Porringer and a Candleſtick, and other ſmall Goods, *&c.* but there being no Evidence againſt her; She was acquitted.

**Margaret Rutherford** was tried for robbing her Miſtris one *Hannah Bourn*, of 4 *l.* in Money, a Guinea, and ſome Linen; ſhe lived but a fortnight with Mrs. *Bourn* before ſhe committed the Fact, and ſhe owned it before Mr. Juſtice *Owen*, and that ſhe had 53 *s.* of the money: The Priſoner ſaid that the Proſecutor ſwore out of malice againſt her, and that ſhe kept an Evil Houſe; but that was but a feigned Story: She was found guilty of Felony.

**James Lewis** and **John Hawkes** were both arraigned for a Burglary committed by them in *White Fryers* in *Auguſt* laſt in the Houſe of *Edward Whichcot*; but no Evidence being produced againſt them, they had the fortune to eſcape, and be acquitted.

**Paul Hart** was indicted for uttering Falſe Money (that is to ſay) a *Spaniſh* Piſtole; he ſent it to be changed by a Boy to a Goldſmith's Shop, who refuſed it; upon which *Hart* went himſelf, and making a little ſtir about it, he was ſtopt, and two or three more was found about him which were not good; but all this was lookt upon as a kind of a frivolous matter, and there was no colour of a miſdemeanor in it: So he was acquitted.

**Ralph Gardner**, otherwiſe Captain **Gardner**, was tried for Coining money; there were Stamps, Shears and melting-pots, and ſeveral Inſtruments fit for Coining, found in the Priſoner's Houſe at *Weſtminſter*, all which were brought into Court in a Trunk, and ſhew'd to the Jury as a Corroborating Evidence; beſides, there were ſeveral falſe Pieces, (*viz.*) Half-Crowns, found alſo in the Vault, and a falſe Guinea upon the Stamp found in the Priſoner's Cellar; he denied the Fact, and called ſome Witneſſes, who ſaid they had no ſuſpicion of him to be a Coiner; and he further alledged that he knew nothing how the things came to be in his Houſe, and none could ſwear that he uſed the Tools; he was acquitted.

**James Pattiſon** and **Jane Pattiſon** his Wife, were Indicted, for that they, together with one **Thomas Taylor** not yet taken, did commit High-Treaſon, in Coining Falſe money on the 31ſt of *March* laſt, *viz.* 100 pieces called Shillings, and 200 pieces called Six-pences, *&c.* The money was found in the Priſoners Lodgings where they were, and the Stamps and molds were produced in Court. mr. *Pattiſon* was found flatting of the money, and his Wife was ſeen to waſh it over in the ſame Room. This was poſitively ſworn againſt them, by one that was in the Room with them at the ſame time, and that they told him that Captain *Gardner* had a private Preſs in his houſe to Coin Falſe money. When they found the Chamber broke open upon them, *James Pattiſon* was ſeen to throw ſomewhat out at the Window, which was a Stamp with a Head on it, and Figures, with ſome Falſe ſhillings

...ings, &c. The Prisoners denied the matter, and laid the Fault upon one *Clark*, of whom *Jane Pattison* said she had the money, but could not prove it. They were both found guilty of High-Treason.

**J— S——** was tried, for that it was his Duty to have succoured the Poor of the said Parish; yet there being a poor indigent sickly Woman in his said Parish (who was brought by Pass) that wanted succor and nourishment, he did neglect to give her sustenance, for want of which she died. The Coroner gave account upon Oath, that he and his Jury sate upon the Corps, and found it a very sad spectacle, eat to death with Vermin almost All this the Prisoner knew, and got her another Pass from a Justice of Peace, taking her out of a Barn, and carried her in a Cart to *Hammersmith*, drawn by one Horse; which he did, being zealous for the security of his Parish: But being ask'd, What if the Woman had died in the Cart by the way? *Why*, says he, *I would do as I us'd to do, shoot her out of the Cart, and bury her.* Some of the Jury that sate upon her, declared in Court that she was a sad Spectacle to behold, being starved and famished to death for want of sustenance, having no Cloaths to cover her Nakedness; and had she had necessary Food allowed her, she might have been a living Woman. The Prisoner had the good Fortune to be acquitted; but was cautioned by the Court to be more merciful in his Office for the time to come.

**Daniel Phillips** was Indicted for stealing a Silver Tankard, value 5 *l.* from *Edward Tendring*. The Prisoner and another man were drinking at Mr. *Tendring*'s house, and the Prisoner was seen to take the Tankard from the Bar, and run away with it; which they threw into the *Thames*, (being putted) and at 11 of the clock the same night, the Prisoner and another were seen Rowing in a Boat upon the *Thames*, in order to search for the Tankard, with their naked Swords drawn in the Boat. The Prisoner urged that his Employment was worth 300 *l. per Annum*, (being a Dancing-master) and he had no need to steal. That it was meer malice in the Prosecutor to Indict him, for that he had arrested her for a Scandal, some time before she took him up. There was but one Witness against him, and he had good Evidence for his Reputation: so he was Acquitted.

**Elizabeth Douglas** was Arraigned for stealing 17 Guinea's from one *John Dawson*. He not appearing against her, she was discharged.

**John Marshall** was Accused for Imbezling some of the Provisions and Habiliments of War. The Fact being not fully proved, he was Acquitted.

**Mary Bridgwater** Wife of Richard Bridgwater, was Tried, for breaking open and robbing the house of Ann Baker, together with one **Rebekah Pettit**, Wife of Giles Pettit not taken, of two silver Tankards, value 14 *l.* two silver Cups 8 *l.* The Plate was lost the 5th of *October* last was Twelvemonth, and the Prisoner was seen to come out of the house with Plate in her hand about 7 a clock at night, the said Plate being lockt up before. The Prisoner had a very ill Name given her in Court by those that knew her, *viz.* That she went a Rag-gathering, and under that colour she took her opportunity to rob people. The Prisoner was found guilty of Felony only.

**Susanna Crittenden** was Tried for Clipping Five Half-Crowns, Ten Shillings, Twenty Six-pences. She was taken the 29th of *March* last, in the Parish of *St. Martins in the Fields*, and found in a house of bad Repute in *Green street*, about 9 a clock at night. In her pocket was found a parcel of Clipt money, some Filings, and a lump of melted Silver between the Bed and Bedmatt. There was likewise found in the house a File, and a pair of Scissers. All which was produced in Court, and shewed to the Jury, as a corroborating and astringent Evidence. The Prisoner said she found the money and silver in the street, and went into the house to drink, after she had taken it up, and presently comes the Constable, and carried her away; That as to the Fact, she was wholly innocent. But that was not believed, therefore she was found guilty of High-Treason.

**Thomas Cooper** was Tried for stealing a parcel of Stockins, value 6 *l.* from *Onyon Warwick*, which he did not much deny; and it being plainly proved, he was found guilty of Felony.

**John Townley** was Tried, for that he, together with **Francis Wyoth** and **Margery Townley**, (who stand Attainted of High-Treason) did Clip, Cut, File and Diminish the Currant Coin of *England*. The Witness swore that there was a pair of Shears, and some Half-Crowns found newly Clipt, in the house where the prisoner lay sick in Bed: But it did not appear that he was privy to the matter, or had any hand in Clipping of money, so he was acquitted.

**John Hall** was Tried for a Misdemeanor, in composing, printing and publishing a certain false and scandalous pamphlet, entituled, *Great Britain's Just Complaint*, &c. There was a Trunk found in the said *Hall*'s custody, which he own'd; but it did not appear that he knew what was in it though in it was found the said pamphlet, with a great number of other Libels, and scandalous papers. Neither did it appear that he was the Printer or Composer of the Libel, nor that he publish'd it, thereupon he was Acquitted.

**Jane Russell** was Tried, for stealing a Cloth Coat, value 3 *l.* a cloth wastecoat 40 *s.* ten dozen of silver Buttons 8 *l.* from *Frederick Stone*, on the 20th of *January* last mrs. *Frederick* swore, that she lost her Goods out of the said *Russell*'s house where she lodged, and that she left the Key of her door with the prisoner while she went abroad; but she could not charge her with the Robbery, nor none else: so she was found not guilty.

**Katherine Ashley** was Indicted for robbing William Green of *St Katharines*, by breaking the house first, and then feloniously took away a Coat, value 55 *s.* a pair of Breeches 30 *s.* a blue wastecoat 35 *s. Green* said, that as he was lying upon his Bed, (being not well) he lost his Cloaths, and the prisoner was seen to come out of the House with them under her Apron, about two a clock in the day-time. She could not contradict the Evidence, whereupon she was found guilty.

*Received Sentence of Death* 5.

| | |
|---|---|
| Richard Smith | Jane Pattison |
| John Lawe | |
| James Pattison | Susannah Crittenden. |

*Burnt in the Hand* 21.

| | |
|---|---|
| William Towers | Thomas Cooper |
| Edward Lock | H —— E —— |
| Sarah Tanner | Amy Laskey |
| Mary Stephens | Edith Tyteman |
| Elizabeth Gardner | Elinor Johnson |
| Elizabeth Hudson | Martha Evans |
| Elizabeth Towers | Elizabeth Holt |
| Margaret Wright | Mary Bridgwater |
| Margaret Rutherford | Katherine Ashley |
| Elizabeth Smith *al.* Bird | Parnel Crowe *a former Convict.* |
| Ralph Lee | |

*Order'd into Their Majesties Service* Isaac Skellum.

*To be Transported* William Stafford.

Jane Pattison, *and* Susannah Crettenden, *pleaded their Bellies, upon which a Jury of Matrons was Empannelled, and their Verdict was, That* Pattison *was with Child, and the other not.*

*The next ensuing Sessions was order'd to begin at* Justice-Hall *in the* Old-Baily, *on* Wednesday *the* 23*d of* May *next, by Seven of the Clock in the morning.*

God Save King *WILLIAM* and Queen *MARY.*

*Sir* WILLIAM ASHHURST, *Mayor.*

ADVER-

# ADVERTISEMENTS.

THE *Ladies Dictionary*: Being a pleasant Entertainment for the *Fair Sex*; a Work never attempted before in *English*. The *Design* of this Work is universal, and concerns no less than the *whole Sex* of Men in some regard, but of Women so perfectly and nearly, that 'twill be serviceable to them in all their Concerns of *Business, Dress, Houses, Conversation*. The Author throughout the whole Work intermixes abundance of *Secret Occurrences* with his other matter; and you may find here all the *Humours of the Town* at the bare expence of reading—— Printed for *John Dunton* at the *Raven* in the *Poultrey*.

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*These Printed for* R. Baldwin.

*These are to give notice to all Persons for the benefit of the Publick, That* W. Elmy, *Professor of Physick, and* Operator, *of known Integrity, and above* 25 *Years Practice, liveth at the* Blue Ball *in* Whale-Bone-Court, *at the lower end of* Burcholomew-Lane, *by the* Royal Exchange: *Who most safely and expeditiously cures* Deafness, *and* Noise *in the* Ears, *in any, of what Age soever, (if Curable) and at first sight, by Inspection, resolves the Patient, if so or not, as most eminent Persons of Quality in this City can testifie. His Pills only prepared for the* French Disease, *and the* Running of the Reins *may be had in Boxes of several Prices, with other* Venereal Arcana's, *as occasion requires. Price from* 1 s 6 d. *to* 3 s. *And from* 3 s. *to* 6 s. *the Box, with Directions. These Pills are free from* Mercury; *They are proper in all Diseases, where Purging is Requisite. He hath likewise a most excellent Gargarism or Mouth Water, which will make Black or Yellow Teeth as White as Ivory, in a few times using, and it will certainly cure the Scurvy, and all other Diseases incident to the Mouth, Teeth and Gums. The Glasses are of several Prices, with Directions. That you may not mistake, my House is at the* Blue-Ball, *as aforesaid, you may see it as you come into the Court.*

On Ludgate-Hill, *next Door to the* King's-Arms *Tavern near* Fleet-Bridge, *any person may be furnished with a Water for taking away the* Freckles, Pimples, Worms and Morphew in the Face, Elixir Salutis, Balsamum Vitæ, Tinctura Vitæ *An excellent Water and Ointment for the Eyes. Ointments for the Rickets, Burns, Scalds, Wounds, Aches, Sprains,* &c *Powders, Dentrifices, Elixirs, Essences, Oils, Spirits,* &c. *For the easing and curing of most Distempers incident to humane Bodies. Prepared and Sold by* B L.

*In* Grays-Inn-Lane *in* Plow-Yard, *the third Door, lives Doctor* Thomas Kirleus, *a Collegiate Physician, and Sworn Physician in Ordinary to King* Charles II. *until his Death; who with a Drink and Pill (hindring no Business) undertakes to Cure any Ulcers, Sores, Swellings in the Nose, Face, or other Parts; Scabs, Itch, Scurfs, Leprosie, and Venereal Diseases, expelling nothing until the Cure be finished: Of the last he hath cured many hundreds in this City, many of them after Salving, which carries the Evil from the Lower Parts to the Head, and so destroys many. The Drink is* 3 s. *the Quart, the Pill* 12 s. *a Box, with Directions; a better Purger than which was never given, for they cleanse the Body of all Impurities, which are the Causes of Dropsies, Gout, Scurvies, Stone or Gravel, Pains in the Head, and other Parts. Take heed whom you trust in Physick, for it's become a Common Cheat to profess it. He gives his Opinion to all that writes or comes, for Nothing.*

London: *Printed for* Richard Baldwin, *near the* Oxford-Arms *in* Warwick-Lane 1694.

A True Account of the BEHAVIOUR

OF

# Mr. Francis Newland,

Who was Executed at *Tyburn*, on *Friday* the 19th of *April*, 1695. for the Murther of *Francis Thomas*, Esq;

Together with a Paper delivered to the Ordinary, attested with his own Hand; desiring that he would publish it, for the Benefit of his Friends and Acquaintance.

MR. *Newland* was conveyed to *Tyburn* in a Coach, out of which he ascended into a Cart; many spectators being present, he spake nothing to them. His whole deportment was very humble and serious, as became him in the near approach of his Death. I exhorted him to beg of God strength of Faith, a submissive Resignation of himself to the mercy of a gracious Redeemer. He replied, that he had no other refuge to comfort him in this his distress. After several Prayers, he desired the 32d Psalm might be sung; accordingly it was. At my departure out of the Cart, he gave me a paper, written with his own hand and subscribed *Francis Newland*, in which is very pathetical good Counsel to his Friends, and all other young Persons: He desired me to publish it in print, it began thus.

Tho I am come hither, publickly to dye, for a barbarous Murther, I declare (as I hope for mercy from God) that I had not my hand in this murther. Indeed I was an Eye witness, but knew nothing of the quarrel, nor was any way concerned in it. Neither was any other persons, except *James Philboy*, and *Daniel Tully*. Notwithstanding there were several swords drawn in the Street, no one injured the deceased, that I saw; but on the contrary several would have parted them had they not been prevented by *Tully*, which was my only reason of drawing my sword.

Notwithstanding I publickly suffer death, no one wishes better success to my Country. I heartily forgive all who have injured me, as I hope all do me, whom I have injured, I wish all People, and especially my Friends and Acquaintance, that my unfortunate End, may be a sufficient means to prevent them from any thing, which may in the least cause them to depend on others mercies.

It is not for me now to insist upon this, since I am at peace with all the World. I shall say something to detain all people from idle quarrelsome company, which undoubtedly is the inlet to all other mischief, and misfortune, as by me plainly appears. I suffer (I heartily believe) a most just reward, for my past sinful life and conversation. I not long since thought my self as far from this untimely end, as any of my acquaintance; and therefore I hope, that since in this case I am able to say but very little, that the very Example it self may deter them, from their sinful wicked courses of living; which undoubtedly will be as severely punisht, if not in this World, in the next, they may shortly expect it, which will be far worse, unless they unfeignedly repent, which can never be too soon, tho it may be too late; for assure your selves nothing can be half so great a Terror to a man, that when leaving this World, to find himself altogether unfit for another, and examining himself finds, that he groans under an immense burthen of sin, which he can no way get rid of. The ill consequence of which, I am not able to describe, but must leave them further to consider of it.

Tho I bless God, that since my dismal sentance, I have so much reflected on my past life, together with the good advice I had of several people, that that which I thought formerly most dear and pleasant to me, is now so odious and unpleasant; that were I now at my liberty and accidentally should meet with any of my former acquaintance, I should certainly think them all Drunk, were they never so Sober. And I suppose, they, on the contrary, would think me mad. Yet I am so well pleased and satisfied with this my misfortune, that rather than I would give my self over to my former course of life, where I to live, and on my death-bed to undergo the Agonies and Terror which since my sentance I have done, I would first chuse to undergo the cruellest Death that can be afflicted.

*From Your Unfortunate Friend,*

*Liceased* Febr. 22d.

Francis Newland.

To all my Friends and Acquaintance.

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LONDON, Printed for *E. Mallet*, near *Fleet-bridge*, 1695.

# Misery upon Misery.

A more Full and Particular

# RELATION

Of the Present

## Sad and Deplorable Condition

OF

# Elizabetth Farrington,

The Unfortunate Young-Woman, that was so Unkindly and Inhumanely Abused at the *Fountain-Tavern* in the *Strand*.

With Mr. *Sherwood's* (the Chirurgeon) Information, before One of his Majesty's Justice of the Peace, for the County of *Middlesex*; as well to Justify her Maiden *Innocence* as to shew her *Unheard of Usage*. As also, The said Chirurgeon's Letter to Mr. *Thwait*, the Master of the *Fountain-Tavern*, upon the same Deplorable Subject.

*Published by the* FATHER *of the said Unfortunate* Young-Woman.

THE late publick Execution of *Justice*, in *Pillorying* of the most notorious *Bawds*, Mrs. *Stratford*, (a Punishment much inferiour to her Deserts) gave the Town, not long since, a Subject of no little Horrour and Amazement, at the Unheard of *Barbarities* committed, by Three Merciless and Inhumane Gentlemen, (through her Delusions) upon the Body of a poor Innocent-Mayden-Girl, seduced to the *Fountain-Tavern* in the *Strand*: The Narrative of which has been already Publish'd to the World.

The Relation of *Misery* and *Barbarity*, where *INNOCENCE* and *VIRTUE* suffer, are no pleasing Themes: Nevertheless, there is yet some remaining part of that poor Girl's most doleful and pitiful Calamities yet Untold, that wants a further Publication.

*Providence* is sometimes pleased, for ends to it self best known, that *Vice* shall prosper and Flourish (at least in this lower World) and *Virtue* be Crusht and Oppresst with the heaviest Load of Calamyties. An Instance of which, is this poor Undone Creature:

For, to add to our former Narrative, As those unkind Gentlemen that perpetrated that hideous Piece of *Cruelty*, have never had the least Remorse or Compassion, so much as to assist the poor (little less than Martyred) Creature, with the least Help, to preserve her from Perishing, under so heavy a Charge, as the Care of a Nurse and Surgeon, so many Months (*viz.* 18 Weeks) *Languishing Sickness*; in which she was wholly obliged to the *Charity* and *Goodness* of the *Christian* Spectators of her Affliction, to Support her from *Starving* during her whole Sickness at the Two Crowns in *Exeter-street*: so likewise by the late General *Act of Pardon*, their Insulting Wickedness as had this Additional *Triumph*, *To be Fenced and Shielded from any Punishment* through [illegible] than Publicke Pardon. For they [illegible] made it their Business, to skulk into Shelter and Sanctuary, to defend themselves from all Personal Actions or Arrests, at the Suit of the poor Girl: But *Self-preservation* renders that a little excusable) But what is yet, if possible, more *Barbarous* than their first *Out-Rage*, They make it their Business, as some Extenuation of their own Wickedness, to insinuate to the World, That this poor Girl was, *The worst of Whores, Cheats and Impostors*; (a very unlikely Imputation that a Creature of that vile Character, should refuse their proffered Gold, and run the hazard of her very Life, under such hideous Torments, in Resistance of their *Lusts*) Nay, They have endeavoured to suggest, that she was so egregious a Counterfeit as, *To be no Child of the poor Gentleman the Father that own'd her*. Under which last Villanous Aspersion the Unhappy Gentleman, a Person tho fain to Decay, once of that Figure in the World, as to be several Years *Farmer* of the *Chimney Money* through the whole County of *Stafford*, for Vindication of his own and his Daughter's Reputation, thought himself obliged to bring a Certificate (dated *July 1st.* 95.) under the Hands of several Persons of the best Quality, in attestation both of her Birth in *Ronton*, in the County of *Stafford*, together with her Modest, Honest, and Sober Behaviour, and good Repute through her whole Education.

Nay, the Calumny rais'd against her, proceeded to that height of Malice and Rancour, that there was not wanting that hardened *Impudence* as would dare to say she had the very *Pox*, a Scandal so hideously Base and Barbarous, as is almost a Shame to name.

But, that the World may be sensible of the true State of her Sufferings, I shall here insert a True Copy of the *Information* of her Surgeon, who took Care of her, during her

March the 14th. 95.

I was desired, by Mr. Paige, Surgeon, to go with him to see a Person that had been abused; I went, and when we came up into the Room, and looked on the Sick Person, we found her in a bad Condition; The Women, that were about her, told us in what manner she had been abused, That she had been inticed to go to the *Fountain Tavern* in the *Strand* where she had received the Abuse, by Three strang Men; That they had forced Candles up her Body, then with their Swords, the Scabbards on them, Crammed Raggs, and Shot up her Body. *We turned to the Person, to receive, from her Mouth, the particulars of her Abuse, but she was then so extraordinary Bad, that we could not hear what she said. She lay in Fits for several Hours at a time; and when those any thing abated, she had* Tremors *all over her Body, and look'd very Wildly with her Eyes, like one Affrighted, Crying out,* Here they are! Here they are! There's the Bawd! There's the Bawd! Take her! Take her, &c. *We turned up the Bed-Cloaths, to search her Body, and found the Privy Parts much* Tumified, *and the Skin much* Tore *all round, and upon her Thighs as the* Print of Nails. *She had a Suppression of Urine for* 8 Days. *Notwithstanding all Endeavors used, she continued extraordinary Ill, worse than at first, without any Hopes of Life; for she lay several Days Senceless: Her extream Parts, as* Feet, Leggs, *and* Hands, *very cold. So that they could keep no Warmth in them. Thus she continued for above a Week; but still, oft-times, her Fits would seize her, that they held her with such Violence, that when they left her, she was, to any one's Sight,* Dead. *After this came on a Violent* Feaver, *with excessive* Vomiting, *which threw her to* Deliriums, *and then her Fits were perfectly* Raving: *Then came forth great Quantities of Blood from her* Pudenda, *as also, from her Mouth, the Fits still continuing; this held her Three Weeks before it went off; her Fits still held her, but with Abatement of their Fury. I attended her all the time; a great Weakness remained on her, and still doth. About Six Weeks after, notwithstanding all Diligence used, the* Bawd *was taken; when likewise Mr.* Thwait, *and his Men were sent for to attend* Justice Negus, *and, as I think, Bound over; so that I suppose Mr.* Thwait *finding it not so slight a matter as he thought for, was so kind (at the Six Weeks end) as to send Mr.* Cooper, *a Surgeon, to see her; He found her then in a Fit, which lasted as long as he stayed. The* Monday *following (for this was on* Saturday, *the* 27th. *of* April) *came two Men more, which were Mr.* Smith *the Overseer and* Dr. Ridley, *between them it was agreed to personate a* Justice of the Peace, *as those of the House have made Oath, which they did; they sent for me to the* Fountain-Tavern, *where I found Mr.* Cooper, *and the Doctor; they made a sort of Ridicule of the Matter, as if it were nothing, and that the Wench dissembled. I only offered it to them, that had they been sent for at first, they would have been of another mind. On* Tuesday, *the* 30th. *of* April, *at* 9 *at Night, the People came Knocking at my House to come with speed to her; for she was Dying. I immediately sent her a Cordial, and sent Mr.* Thwait *Word by my Man, that she was so Ill, and that he might send the Doctor to her, if he pleased.*

## The Copy of the Letter I sent Mr. *Thwait.*

*Mr.* Thwait.

YOU *would do well, if you thought it proper before, to send Mr.* Cooper, *and the Physitian to do it now, for your further Satisfaction; I am just now come home, from a long Walk, and am very Weary and Unwell, but am alarmed with Messengers that the Person is Dying; I [illegible] cannot think but that I give you this Notice, that you may be Satisfyed by the Doctor (which may not be amiss) of he will give himself the Trouble to see her, for fear she should Die before Morning. I rest Yours*

*Tuesday,* the 30th. of *April,* 9. at Night. R. Sherwood.

After her Recovery, the Support of her *Chargable Sickness* wholly depending on *Christian Charity*, she paid her Surgeon 20 *s.* (all she had in the World, except a small Pittance of Mony laid out to buy her Cloaths, to cover her almost Nakedness; Here her Poverty, at last, was such that she was compell'd to pledge those very Cloaths again, to pay her Lodging, and find her Bread. But now, to come to the most deplorable of her Miseries; On *Saturday*, the 29th. of *June*, she was Arrested by her Surgeon in an Action of about 20*l.* for her Cure, and thrown into the County Goal of *Newgate*; where, to her inexpressible Grief, nothing but an inevitable Prospect of Perishing and Starving lies before her. The Sum, *viz.* 10*l.* he demands being what neither herself, nor her indigent Friends will ever be able to pay for her: So that, to heap her whole Mass of Miseries together, here is a Poor, Young, Virtuous, Innocent, utterly to all Intents and Purposes, Destroy'd and Ruined; not only in her Personal Sufferings, by so much inhumane Cruelty, made an Unsound Woman, even to her dying Day; but, last of all, Immured for her whole Life in the Walls of a Goal, for a Debt only contracted for the pure Preservation of Life, in the Cure of all these Barbarous Wounds upon her, and Indisposition contracted from that Barbarity.

We dare not say, it's Unjust that the Surgeon should seek for his own, in a lawful Satisfaction for his Care, Pains or Skill. We acknowledge likewise, that in Case the Offenders cannot be found to make Satisfaction in such a Case, that then the Charge lies at the poor Sufferers Door: But take it all together, her whole continued Chain of Ruin, nothing can certainly Equal: no Story Parallel the Afflictions of this poor Girl.

She acknowledges, on her bended Knees, the *Charity* she received, during her Sickness, tho even in that too, she had some Abuses, for, notwithstanding she had a very unkind Nurse, she is likewise Informed, that several People took Occasion, to make use of her Name, for the Collection of *Charity* for her, which she declares was all Abuse and Cheat, for no such Petitioners were ever commissioned by her, or any such collected *Charity* received by her: All that she ever Received, coming personally from the Goodness of some Kind Visitants, during her Sickness.

We must add one further Circumstance, which gives us an occasion of a very unlucky Remark, *viz.* That as the Girl, through the Favour of the Worthy Justice *Negus*, and some other Honourable Gentlemen of the Bench of Justices, that *pittyed her Hardship*, was design'd *personally to appear* at the late Sessions of the *Peace*, to lay open the Wrongs and Injuries she had undergone, in order to some Redress or Relief; so it looks a little Untowardly, that she should be thrown into *Newgate* on the very *Saturday* before; when the Sessions began on the *Monday* following. We urge not, this as an unkind or uncharitable Reflection of Design or Confederacy, that she should be thus unhappily laid up, and thereby utterly rendred uncapable of that Appearance, and consequently the Receit of that Relief, she might have hoped from the *Justice, Goodness, and Compassion of the Honourable Bench.* However her whole [illegible] either way has a very *Melancholy Aspect*, a [illegible] Object of *Universal Commiseration.*

# *A True Account of the* Behaviour, Confession, *and* Last Dying SPEECH *of the Criminals that were Executed at* Tyburn, *on* Friday *the* 12th *of* July, 1695.

THe Ordinary on the Lord's Day preacht to the Condemned Criminals from the 21st, and 22d. Verses of the 11th Chapter of St. *Luke's* Gospel, on these words, *When the strong man armed keeps or defends his Palace, the things which he possesses are in Peace. But when a stronger than he comes upon him, and overcomes him, he takes from him all his Armour in which he trusted, and devides the Spoils.*

I shall Treat on these words, under several General Heads; First. How Sinners contribute, in strengthning Satan's Tyranny over them.

1. He makes them Confident that Abhorrence from some particular Sin displeasing, as procuring the smart of Punishment, or the blasting of their Credit, is the real Mortification of that Lust at the very Root of it.

2. He forms in them an impotent Rage at the proper means of dispossessing him; because these cross the Pride of their Carnal Wisdom, cut short their sleshly Liberty, superstitious Zeal, and addictedness to Formality in Religion.

3. He strengthens in them groundless Prejudices against the way of Holiness and Self-denial. It is a Pardon which the Hypocrite aims at, not a clean Heart, nor a strict Life.

4. They gratify Satan, and strengthen their Bondage, as concerning the Pride of their Hearts, in seeking Justification by a Self-righteousness. To cure this refin'd Mystery of Iniquity, the Sovereignty of God's free Grace, and the All-sufficiency of Christ's Righteousness, must be submitted unto, and rely'd upon, by the sincere Resignation of the Heart to the Discretion of Christ, to deal with the Self-abased Sinner, on Christ's own terms of Salvation.

5. Sinners draw up Pleadings for the Extenuation of their Lusts. They plead for delay in the Execution of them, yet this Reprieve tends to a greater familiarity with Sin and a seared Obduration of their Conscience.

6. Sinners plead that it is Folly and Pride, not to accommodate themselves to the Corrupt Customs of other Men, when Sin grows Epidemical and in Fashion. Thus, they have neither Will, Strength, nor Courage to cast off Satan's Yoke. He binds them upon them, as his contented Slaves, so that he fears not any mutiny to free themselves from his Tyranny. This is the Language of Satan's Sophistry. Will ye give a Reb to all Mirth, by entertaining any Effeminate purpose of Repentance? Will ye break away from the World to Embraces, and prove Changlings in the profest Mysteries of Iniquity, to take up the Severities of a mortified Conversation? If there be any day of Account for all your Excesses in sinning, yet, you have time enough before you, wherein to be penitive, thereby to expiate the Guilt and Defilements of all your Sins. Satan will permit himself to be defied by Sinners, protesting against his gross works of Darkness, so he may be Deified as the Head of the Carnal State, to rule more unsuspected in the Heart. He will not oppose a Reverent Opinion of Christ, so that it never ripen into a resolute closing with him, upon the terms of Self-denial and universal Obedience to the Scepter of his Righteousness. He will for a time relax the severity of his imposed Tasks, but they must give some pledge not to quit his Service totally.

How deplorable is the misery of Sinners, who go securely to Hell, under the delusions of a false Peace? This is a pleasing Phrensy, and hardly to be cured. When Sinners make a sport of the Devil's Drugge[illegible] the surest pledge of their Eternal Ruin. Then only is [illegible]mpossessed, when the Pride of Carnal Wisdom, the stub[illegible] of the depraved Will, and the Exorbitancy of wild A[illegible]ngre, mortified by the Power of Christ's De[illegible] and the Holy Beauty of a Crucified Jesus.

How doth Christ bi[illegible]nd the Sinner, he takes off all Prejudices against [illegible] the ways of Righteousness. He Convinces [illegible] Equity and Excellency of his Government. [illegible]rd of the Father, being made Flesh overcame [illegible]ed by word in the Flesh. No sooner, said Christ, [illegible]ect, Come forth, but he presently resign'd up [illegible] Satan was more surely and shamefully conq[illegible]lest suspected, but despised the Omnipotency [illegible] against it, vail'd under the Infamity of Humane N[illegible] came upon Satan to bind and overcome Him. [illegible]ound that he had obtain'd an Empire over the grea[illegible] of Mankind who were his Tame Slaves, yet Projecte[illegible]dious Wickedness. By the sufferings of Christ's [illegible]ross. He adjudg'd Satan to be fought to death. [illegible] It is therefore great ingratitude, Rebellion and Self-cruelty, not to surrender the Hearts at Christ's summons.

Here were described the Properties of such out of whose Hearts Satan is wrested, and in whom Christ reigns by the Spirit of Sanctification. They will justify Christ's ways of Righteousness, and promote the Exercise of those Virtues which adorn the Profession of Christianity. They will not be discontented, that their design in any unlawful way is blasted, by falling under the restraint of the severest Afflictions. They cancel and make void their Indentures of Service to Satan, and set their Seal of Approbation, to fulfil the Laws of Holiness. The sincerity of your Repentance and hatred of Sin, is declared by seeking the utter Extirpation of every Lust, and the power and love of it be subdued. They so destroy the works of the Devil, that they grow up to a considerable strength of Constancy and Activity in a Course of Holiness.

*The Conclusion was then directed to the Condemned.*

How unable are you, from a confirm'd Custom in sinning, to break out of the snare of Impenitency and stupid Lethargy in Conscience? It is impossible, by a hasty crazy Repentance, to abandon all the deliberate Articles and presumptuous Accomplishments of Sinning. Do not thrust it out any longer against all the offers of Peace by Christ, least He thrust you into utter Ruin by his severest Indignation. Throw down rather the Weapons of your Unrighteousness, your Pride and Carnal Confidence that tho' you stand out against Christ's Summons till death, yet you may make easie Terms to obtain your Pardon and Reconciliation with God. Such trifling with the offers of Peace and Salvation by Christ, may gradually so harden your Hearts, that you may resolve to dye fighting against God, as under the despair of Mercy; prolecute your Warfare against Sin and Satan with a deadly Enmity, not to be appeased. Continue in a right posture of Soul, to conquer Satan. Set God before you, as your Invincible Guardian, keep the World under your feet in a resolute Contempt of it. Let Grace be active within you, and the prospect of Glory be alway in your Eye; Then you shall break thorough all Temptations to Sinning, with an undaunted Faith. Be thankful for the least degree of conquest and persue it, as a pledge of future Triumph, of a total abolishing the Works of Sin and Satan. For your Encouragement herein Christ will force Satan to leave behind him the Remarks of shameful Triumph over him. He shall not recover his Usurpation, but with the utmost Confternation and despair of Re possessing the Hearts of Christ's Converted *Loyal* Subjects.

They shall grow Impregnable by the Power of Christ, who will strengthen their Graces by constant Conflicts with the Prince of Darkness, and the remainers of a depraved Nature, till they lodge the Ensigns of their compleat Victory, in the Celestial Sanctuary of the God of Glory.

*I proceed to give an Account of the Behaviour, and Confessions of the Condemned Criminals.*

1. *John Moore*, condemned for High Treason, in forging and stamping one Piece of false Gold, in the likeness of a Guinea, and one other piece of Counterfeit Silver, in the likeness of a Shilling. He is 45 years of Age; he said that he was born of Honest Parents: That his Father at the time of his Death left 500 l. to bring him up; But the whole Sum was lost by placing it in the hands of such who fail'd and run out their own Estate. Then he was forc'd to serve a Fower eight Years, whose Wife dealt in a Tripe-Trade, which he more regarded to get an insight into than in the Employment, which his Master knew. After eight Years Service he fail'd of his Mistress in the Tripe-Trade, but some Person undermining him in the Employment, expos'd him to shift for himself, in some the way. He said that he was put to streights for a Livelihood being Married, so that to support himself and his Wife he try'd a Figure Life for Six pence, by which he got Ten Shillings every Week. By his Industry, with his Wife's he kept up Money; for he lived frugally, having been accustomed to it from his Youth; for he never spent Two pence [illegible] in an Alehouse. After some [illegible] his Industry, he purchased an House and Ca[illegible] told [illegible] was plentifully; Then he purchased an Ho[illegible] in which he dwelt, part of which, he rented out to one W[illegible] name was [illegible] he said, accused him of the [illegible] of Clipping and Coining, being about nothing an Hour

...ed bring upon his Soul as to Future Happiness, if he conceal'd to God concerning his Innocency, and yet knew the contrary in his Conscience; yet he persisted, tho' I told him, that the Crime was fully prov'd against him; he averr'd notwithstanding that he did not at any time Clip nor Coin Money in his own Person, but conceal'd others that were guilty; and now repents that he did not discover them, yet, said he, God is Just in my Condemnation, for I have led an Evil Life. I was not Constant nor Faithful to my first Wife, but affected other Women. I sometimes in Trading did drink in excess, and was not so Circumspect in my Conversation as I ought to have been. He said, that he did not serve God, but minded worldly Matters, more than how to take care of his Soul for a better Life. He added, that this doth wound his Conscience, that when he was sick unto death, (as himself and others thought) he made several Vows to God, that if he would spare his Life he would walk more strictly; but he soon forgot his good Resolutions, and became vain in his Conversation, not minding the Duty's of God's Worship, upon the recovery of his Health. He was submissive to good Advice, and seem'd Penitent.

II. *Edmund Allen*, condemned for Poysoning his Wife; He said that he had married two Women formerly at the same time, for which he was burnt in the Hand, about fifteen Years since. That he had liv'd with this Wife lately deceased, about fifteen Years; but had not three thousand Pounds Estate with her, only some Land, not amounting to that value. He said, that they did not disagree in their Conversation, till some Persons rais'd discord betwixt them. He was the Son of a considerable Person, well known in *London*, deceased; had good Education from him, but he did not follow his Father's religious Counsel. He said, that he had sinned many ways against Knowledge, and the frequent checks of his Conscience, which makes the burden of his Sins the heavier; yet he hopes that God upon his sincere Repentance will be reconcil'd to him. He said many good Expressions, yet, I told him, that these did not demonstrate the truth of his Repentance, unless he confest the Crime, and that it was in vain to conceal it, for it was sufficiently prov'd against him. He stood out in denying it, with great Asseverations of his Innocency; I reply'd, that *David* was not pardon'd till he confest the Murther of *Uriah*, and the Dalilement of *Bathsheba* to the Prophet *Nathan*; for in such crying Sins, where no Restitution could be made, the Criminal ought freely and fully to acknowledge it, to give God the Glory of his Justice, who brings to light secret Sins, committed out of Atheism, and conceal'd with the hazard of the Soul's Salvation, to maintain a false Reputation among Men, and will not be mocked, or fail to God's Judgement. I told him of a Person who was Executed for the Murthering of his Wife, and at the place of suffering, wish't he might be struck Dead successively, if he knew any thing how she came by her Death: Yet when I went out of the Cart, telling me it would be too late to speak the Truth, when he should be cut off, he desir'd me to come back, and told me, That he shot his Wife in the Head with a Pistol Bullet; I caus'd him declare it to the People, which he did, weeping and saying, Blessed be God for the Ordinary's Plain-dealing and Patience with me; for had I dy'd denying it, I had been damn'd; desiring me to pray that God would forgive his Presumption and Impenitency upon himself, who to preserve his Credit, had like to have lost his Soul. This did not affect Mr. *Allen*, who persisted in his Resolution, saying, Urge me no more; do not put me into a Fret, tempt me not to tell a Lye, but leave me to my self, I will neither confess it, nor deny it. So that we must leave him to the Justice of the Omniscient, pitying him in his obdurate Humour and Impenitency.

III. *David Anderson* a *Scotchman*, condemned for the Barbarous Murther of one *John Jefferson*; the manner of it is set down in the Book of Tryals. He is aged 26 Years, had been a Soldier 8 Years in *Flanders*, but came over into *England* with his Captain, who cashier'd him for his irregular Courses. That he led a more idle and vicious Life, for he said, that he had too much with Lewd Women, had broke the Sabbath, been drunk and guilty of much Swearing.

IV. *Leo Norman* condemn'd for High-Treason, in forging counterfeit Half-Crowns and other pieces of mixt Metal; a Native of *Evesham* in *Worcester-shire*. He was Prentice to a Goldsmith, and after five Years run away from his Master, who refused to take him again. Afterward he fell to the Trade of Clipping, and follow'd it for two Years, counting it no Sin; at last troubled him he made a Vow of Secrecy to God, and join'd with them in making a Mill to Coin false Money, for which and I hope was Penitent.

V. *Charles Billet*, condemned for Cupping the Current Money of *England* aged 29 Years. He was a Farrier, and did not deny the Crime. He said he had committed a great many Sins, and was guilty of frequent Lying; he cry'd out, Lord, how can I expect Mercy to my Soul, who have committed millions of Sins.

There were several Women Condemned for Clipping, but are reprieved, as being reported to be Quick with Child. Hereupon they grow very Secure and Impudent, the worst in the Prison, by abusing the Clemency of the Law which intercedes the compleating of their Repentance and Amendment; yet they all refused to give any account of their evil Lives, only *Mary Booker*, I hope, was Penitent.

The Ordinary visited the Condemned Criminals every Day, and acknowledges the great Kindness of the Right Honourable and Reverend Father in God the Lord Bishop of *London*, in sending to his Assistance Mr. *Wapie* the Minister of St. *Sepulchres*, who preacht in the Afternoon of the Lord's Day; Also Dr. *Mandevel* and Mr. *Whitefield*, Minister of *Ludgate* Parish, came by appointment, and exhorted and pray'd with the Condemned on the Week days.

On *Friday* the 12th Instant, *David Anderson*, *Charles Billet*, *John Moore*, and *Leo Norman*, were convey'd to *Tyburn*, the first in a Cart, and the other three on a Sledge, who all seem'd to be very Penitent, (the other two being Reprieved till the 19th of this Instant *July*) and being come to the *Tree*, were all tyed up: *Anderson* declar'd that he was sorry for the Fact he had committed, but hop'd that God would have Mercy upon his Soul. Mr. *Moore* spoke to this Effect, and said, That he had endeavour'd very honestly for to get his Livelihood, and that as he was a Dying Man he was not actually guilty of the Fact, for which he was Condemned, nor would not acknowledge how any of the Things came there, and that he did never in all his Life-time Clip or Coin himself; and that he dyed in Peace and forgave all Persons that had Witnessed against him. *Billet* said that he did justly deserve to Dye for his Offence. *Leo Norman* spake to the People, and said, *Good People pray for me, I am a wicked Sinner, and have wronged you all in Clipping of the Current Mony of this Kingdom, for which I now do Justly suffer*: Then the Ordinary pray'd with them and Sung a Penitential *Psalm*; so they were all turn'd off.

*This is all the Account I can give of this Sessions.*

*Dated* July 12. Sam. Smith, *Ordinary*.


## *ADVERTISEMENT.*

THE Person that lately lived on *Ludgate-hill* next door to the *Kings-Arms-Tavern* near *Fleetbridge*, is now removed into *Essex Court* in *White Fryers*, the first door on the Left hand, where any one may be furnished with the Water for taking away *Freckles*, *Pimples*, *Worms*, and *Morphew in the Face*; and excellent *Water* and *Ointment* for the *Eyes*, Ointments for the *Rickets*, *Burns*, *Scalds*, *Wounds*, *Aches*, *Sprains*, &c. *Powders*, *Dentrifices*, *Elixirs*, *Essences*, *Oyls*, *Spirits*, &c. for the easing and curing of most Distempers incident to Humane Bodies prepared and Sold by *E. L.* The *Water* for taking away the *Freckles*, *Pimples*, &c. is likewise Sold at these places following, *viz.* at *Mr. Milner's* in *Popes-Head-Alley*, and *Mrs. Suttons* at the Corner of *Exchange-Alley* over-against the *Royal-Exchange* in *Cornhill*, Cane-shops. *Mrs. Hamptons*, next door to the *Golden-ball* in the *Old Bayly*. *Mrs. Miners* Semstress in the *Inner Temple Lane*. *Mrs. Labrdams* at the Sign of the *Crown* in *New Anchor Alley*, over against the *Artillery-Ground*, on *Bunhil*. And at *Mr. Palmer's* Tar-House on *Clay-hill* at *Epsom*. To prevent mistakes and counterfeits, my Bottles will be Sealed with my Coat of Arms, *viz.* the *Three Water Bugets* and *Half-Moon*.

At the *Blew Ball* in *Whale-Bone Court*, at the lower end of *Bartholomew Lane*, by the *Royal-Exchange*, liveth a Physitian.

WHo infallibly Cures the *French Disease* and *Claps*, and and all others its Numerous Attendant, which oftentimes are the products of other grievous and lasting Diseases, to the utter ruine of many, besides frequently untimely Death procured by them through gran. Abuses, Committed by the irregular and base Methods and Medicines of foolish and unskilful Pretenders.

*These are therefore to Advertise all Persons who are Afflicted with the Disease aforesaid to repair to him, for he perfectly cures the true and perfect Cure thereof, without hinderance of business, and with all imaginable speed and secrecy.*

☞ *His Pills are only prepared for the* French Disease *and the* Running of the Reins, *may be had in Boxes of several prices, with other* Venereal Arcanums, *as occasion requires. Price, from 1s. 6d. to 3s. and 5s. or 6s the Pot with Directions.*



*London*: Printed for *E. Mallet*, at Sir *Edmundbury Godfery's* Head, near *Fleet-Bridge*, 1695.

# A TRUE COPY OF THE PAPERS

Delivered by

Mr. *Rob. Chernocke*, Mr. *Ed. King*, Mr. *Th. Key*,

TO THE

Sheriffs of *London* and *Middleſex*, at *Tyburn*, the Place of Execution, *March* 18th. $169\frac{5}{6}$.

**Publiſhed by Authority.**

## *Mr.* CHERNOCKE's *Paper.*

THAT I might avoid diſtractions, and be Compoſed as much as poſſible at the time of my Execution, I thought it much more proper to Communicate This to the Sheriffs, than to give my ſelf the uneaſineſs of ſpeaking, leaving it to them to publiſh (if they ſhould think convenient) for the ſatisfaction of the World; and in what I have to ſay, I have taken as much care as I could to be ſhort, that I might not loſe time in my greateſt Concern.

As concerning an Invaſion intended by King *James* upon *England*, and that there was certain Intelligence of it from Abroad, I preſume every body was ſatisfied; and to the facilitating of which, I own that my ſelf and ſome others did agree upon the Undertaking, To Attack the Prince of *Orange* and his Guards, for which I am now to Suffer; but I think my ſelf obliged by all the Tyes imaginable, both of Conſcience and Honour, to declare, That as for any Order or Commiſſion of King *James*'s for Aſſaſſinating the Prince of *Orange*, I neither ſaw, nor knew of any; but have had frequent Aſſurances of his having rejected ſuch Propoſals when they have been Offer'd.

I confeſs I did hear that there was a Commiſſion arrived for Levying of War, and which was natural to believe, if the King was in ſuch a readineſs to come over as was reported; but if there was any ſuch Authority as that, I declare I never ſaw it.

As to what regards the Body of the *Roman Catholicks*, I muſt do them this Juſtice, and which I dare be poſitive in, That they had no manner of Knowledge of this Deſign, nor do I believe it was Communicated to any other Party of ſuch as are reputed the King's Friends, but carried on merely by a ſmall number, without the Advice, Conſent or Privity of any Parties whatſoever.

I ask

I ask forgiveneſs of all the World for what Offences or Injuries I have done to them; and I am (I bleſs Almighty God) in perfect Charity with all Mankind.

*Robert Chernocke.*

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## *Mr.* KING's *Paper.*

I Am now within a few moments of Eternity, brought to this place by the Juſt Hand of God in Puniſhment of all my Crimes; but particularly of that, of which I have been lately Arraign'd, and for which I ſtand here Condemn'd; but I hope, that Goodneſs of God, which has given me a Senſe of my Wickedneſs, will accept my Repentance, and ſhew Mercy on me; which I hope to obtain thro' the Paſſion and Merits of my Redeemer, upon whom I intirely caſt my Self.

And that I may find his Mercy, I think my ſelf oblig'd to do Juſtice to my Neighbour, that ſo none may ſuffer wrongfully on my account; and therefore as I am ſoon to anſwer the truth of what I ſay before the Tribunal of God,

I *Firſt* declare, That I never ſaw any Order or Commiſſion of King *James*'s promoting the Aſſaſſination for which I am Condemn'd: Neither do I know of any ſuch Order or Commiſſion.

*Secondly*, That this Deſign was not undertaken with any General Knowledge or Approbation of any Body of Men, either Catholick or Proteſtant.

*Laſtly*, That I did not ingage in it on Preſumption of any King-killing Principles that cou'd juſtify ſuch an Undertaking, but was drawn into it by my own Raſhneſs and Paſſion, for which and all other Sins I heartily beſeech God to forgive me.

And I hope that ſuch who think the Misfortune of their Impriſonment or Trouble, is deriv'd from my having been ingag'd in this Enterprize; or ſuch to whom it has any ways given ſcandal, that they will admit me to their Pardon, as I freely and heartily forgive all Mankind. In this Diſpoſition of a ſincere Repentance and true Charity, I commend my Soul into the hands of God, and hope to find Mercy from him. And for this I beg all your Prayers.

*Ed. King.*

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## *Mr.* KEY's *Paper.*

I AM now going to appear before the Living God; I truſt in his Mercy, that he will forgive all my Sins committed to this laſt moment of my Life. God is juſt in all his Judgments, and I accept of this Death as the Puniſhment of my Iniquities: I forgive all my Enemies, and hope through a hearty Repentance, and the Merits of my Saviour, to obtain Mercy.

*Have mercy on me, O Father of Mercy, and through thy only Son forgive me all my Sins.*

*Thomas Key.*

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*LONDON*: Printed for *William Rogers* at the Sun againſt St. *Dunſtan*'s Church in *Fleetſtreet*. 1696.

E 90

# AN ACCOUNT OF THE Tryal and Conviction OF Sir John Friend, FOR HIGH-TREASON

515. l. 159

In Conſpiring the DEATH of His Moſt Sacred Majeſty, King *WILLIAM*, and the Subverſion of the *Government*. *&c.*

At the *Seſſions-Houſe*, in the *Old-Baily*; On *Monday*, the 23*d.* of this Inſtant *March*, 1696. Before the Right Honourable the Lord Chief Juſtice *Holt*, the Lord Chief Juſtice *Treby*, *&c.*

NEver was Conſpiracy, more happily, and more fully diſcovered than the late horrid Deſign for the barbarous Aſſaſſination of His Majeſties Perſon, the Invaſion of the Kingdom, and Subverſion of the Government, and conſequently the *Proteſtant Religion*; when beſide the Number, and withal the Credit of the Witneſſes, we have the publick Confeſſion of the Dying Criminals themſelves, *ex ore ſuo*, making their own voluntary ſelf Condemnation; and ever juſtifying both their Accuſers, and their own Execution; as their own Papers, delivered to the Hands of the Sheriff; and ſince Publiſh'd by Authority ſufficiently teſtifie.

But to Ballance the Caſe between the three Unfortunate *Romiſh Zealots*, viz. *Charnock*, *King*, and *Keys*, that have already received *Juſtice*, and the preſent Criminal Sir *John Friend*, now brought to the Bar of *Juſtice*, in order to receiveing it, we have this unhappy Difference between them; That, of the Two, this unfortunate Gentleman lies under (if poſſible) the much more hainous, and leſs pittied Circumſtances; For though there can be no Apology for Guilt ſo Barbarous on either ſide, yet certainly it muſt be an infinite Aggravation of the Crime in Sir *John Friend*, profeſſing himſelf a Member of the *Proteſtant Religion*; whereas the other Three Convicts were all Papiſts, and conſequently were miſlead by ſome Impulſe of Blind Zeal, a Bigotted Superſtition that might animate this Conſpiracy, in favour both of their own Altars, and their darling Champion of them the late *K. J--'s*: But Sir *John Friend*, under his contrary Capacity, when Embark'd in the ſame Black Cauſe, beſides the Blot in their Scutcheon

has this additional Stain in his, *viz.* Not only of ſuch perfidious and ſhameful Treaſon againſt his *King* and Country, but even againſt himſelf; for no *Proteſtant* can liſt under ſuch a Bloody *Banner*, but in reality muſt be an Actor in his own, as well as his Countries Ruin: And certainly it muſt be no common Infatuation that could miſguide and enſnare a Man into ſo horrid and likewiſe ſo ſtupid a Confederacy, where the Phrenzy of *Rebellion* edges and arms the drawn Sword even againſt our own Throats.

And if there can be Degrees of the moſt Capital Sins, it lies a little more heavy upon this unfortunate Offendor, who with that Maſs of Wealth, and thoſe Smiles of Fortune, ſhould nevertheleſs debaſe himſelf to the engaging in ſo wicked a Cauſe, when Profligate Lives and Deſperate Fortunes (one would think) ſhould only be tempted to *Fiſh in Troubled Waters.*

It has been Remarkt, that never were more Generous, and thoſe Repeated, Tenders of *Mercy* offered, than to Sir *John Friend*, from the King's own Mouth, upon his Examination before the Council; but his Obſtinacy, and hardened Denial of his Offence, and ſome other ill Aſcendants over made him, reject the Royal Clemency, till too late to be recalled, which has brought him to this deplorabel Scene.

Being brought upon his Tryal, on *Monday* the 23*d.* of this Inſtant *March*, after *Ten* in the *Morning*, which continued till *Two* in the Afternoon. The greateſt Streſs of the Teſtimony againſt him, beſides his General Aſſiſtance in the *Conſpiracy*, was his Acceptance of a *Collonels Commiſſion* for Raiſing a Regiment of Horſe; it being proved by *Capt. Porter* and *Mr. Blair*, that he had choſen all his *Captains*, (who were all mentioned) and had met them at ſeveral Taverns and elſewhere in this *City*, and had Paid ſeveral Sums of *Mony* for carrying on the cauſe: The Evidence was Full and Plain againſt him; beſides one of his own Letters was produced to confirm their Teſtimoy: He endeavoured to invalidate the credit of the Witneſſes, as being *Papiſts*, but that was Over-ruled. In ſhort after a long Tryal and Full Hearing the Jury went out, and ſoon Returning, brought him in *Guilty.*

*The Court then* Riſing, *and Adjourning till to Morrow, at which time we expect to hear* Sentence *Pronounced.*

*London*, Printed for *Edward Steel*, in the *Strand*, 1696

E. 98

# AN ACCOUNT

Of what paſſed at the

# EXECUTION

OF

## Sir Will. Parkyns, and Sir Joh. Friend,

At *Tyburn*, on *Friday*, *April* 3d. 1696.

THE Priſoners being drawn in a Sledge from *Newgate* to the Place of Execution, were permitted to have the Aſſiſtance of three Miniſters of their own Chuſing, *viz.* Mr. *Collyer*, Mr. *Cook*, and Mr. *Snet*.

Sir *Will. Parkyns* came firſt up into the Cart, and had ſome private Diſcourſe with one of the Miniſters.

Sir *W. Parkyns*. When muſt I deliver my Paper?

*Miniſter*. When all is over.

Then the Executioner went to put the Rope about Sir *W. Parkyn's* Neck.

Sir *W. Parkyns*. May not I pray before it be put on?

*Executioner*. Yes, Sir, if you pleaſe.

Then Sir *J. Friend* came into the Cart; and the Miniſters and Priſoners all kneeling down, Mr. *Cook* read ſome Prayers out of the Morning-Prayer, and the Office for the Viſitation of the Sick; and then the Miniſters ſtanding up, ask'd them, Whether they were in Charity with all the World? And if they had offended any, whether they did ask them forgiveneſs? And whether they did deſire the Abſolution of the Church? Upon their Anſwer that they did, they laid their Hands upon their Heads, and Mr. *Cook* pronounced the Abſolution, which ended with theſe words, *And by His Authority committed to me, I abſolve thee from all thy Sins, In the Name of the Father*, &c.

Sir *W. Parkyns*. When are we to deliver our Papers?

*Miniſter*. Now, if you pleaſe.

Mr. *Sheriff*. Take what time you pleaſe, Sir, for your Devotions; we will wait your leiſure.

Then the two Priſoners continued in their private Prayers; Sir *W. Parkyns* making uſe of the Prayers in *The Whole Duty of Man*; and Sir *J. Friend* read ſome Prayers out of a written Paper. And afterwards Sir *W. Parkyns* delivered to the Sheriffs a Paper.

Mr. *Sheriff*. If you require any more time, you ſhall have it; you ſay this is your Paper?

Sir *W. Parkyns*. Yes, Sir, and I deſire you to diſpoſe of it as you think fit.

Mr.

Mr. *Sheriff*. Have you any thing to ſay by way of Confeſſion, or Denial of the Fact for which ye came hither to Suffer?

Sir *W. Parkyns*. What I think fit to ſay, is contained in that Paper.

Mr. *Sheriff*. If you deſire more time, you may have it, you ſhall have your liberty.

Then Sir *J. Friend* held a Paper up.

Mr. *Sheriff*. What do you ſay, Sir *John*?

Sir *J. Friend*. Sir, Here is a Paper, I deſire it may be Printed; for I came here to Die, and not to make a Speech; but to Die, and to Reſign my ſelf to God; and I deſire it may be Printed for all People to ſee it. And I have no more to ſay, but to Beg of God to receive my Soul; I Reſign my Soul to him.

Mr. *Sheriff*. The Lord have Mercy upon you.

Sir *J. Friend*. I hope the Lord will have Mercy on me.

Mr. *Sheriff*. Sir *John*, If you deſire any more time, you ſhall have it, we will waiton you with great willingneſs.

Sir *J. Friend*. I thank you Sir: Mr. *Sheriff*, I deſire the Cart may not be too haſty to go away, till we give a Sign.

Mr. *Sheriff*. You ſhall have your own time; take your time, communicate your own Sign, and the Cart ſhall not go before.

Then the Ropes were tyed about them.

Sir *J. Friend*. I have no Animoſity againſt any Man; I freely Forgive all, and I hope God, for Chriſt's ſake, will Forgive Me.

Then their Caps were put on.

Sir *J. Friend*. My Saviour had a Crown of Thorns for me; the Lord receive my Soul; the Lord have Mercy upon me.

Then the *Executioner* ask'd them both forgiveneſs, and they anſwered, We freely Forgive you.

Sir *J. Friend*. Will not the things lye in my way?

*Executioner*. I will remove them. If you pleaſe, tell me when I may pull your Caps over your Eyes.

*Priſoners*. When you will.

Sir *W. Parkyns*. The Lord receive my Spirit. Executioner, Had I beſt hold up my Legs, or ſtand in the Cart, when it goes away?

*Executioner*. It is beſt to ſtand, Sir, I think.

Sir *W. Parkyns*. But then my Feet will hang in the Cart.

*Executioner*. If you pleaſe, give me Notice when you will have the Cart go away.

Sir *J. Friend*. Stretch forth thy Arms, O Lord, and receive my Soul! O Lord, for thy Son's ſake, receive my Soul, and carry it into Heaven, I beſeech thee. Executioner, when we knock, go away.

And after a few Ejaculations they gave the Sign, and the Cart drew away.

They both of them gave Money to the *Executioner*, and having Hung above Half an Hour, being a conſiderable time after they were Dead, they were cut down, and Quartered according to the Sentence.

*LONDON*: Printed for *Richard Baldwin* near the *Oxford-Arms* in *Warwick-Lane*. 1696.

# A TRUE COPY OF THE PAPERS

Delivered by

Sir John Freind, and Sir William Parkyns,

TO THE

Sheriffs of *London* and *Middlesex*, at *Tyburn*, the Place of Execution, *April* the 3d. 1696.

Published by Authority.

## *Sir* JOHN FREIND's *Paper.*

KNowing that I must immediately give Account to God of all my Actions, and that I ought to be especially careful of what I say in these Last Hours, I do solemnly profess, That what I here deliver is from my very Soul, with all the Heartiness and Sincerity of a Dying Christian.

The Cause I am brought hither to suffer for, I do firmly believe to be the Cause of God and True Religion, and to the best and utmost of my Knowledge and Information agreeable to the Laws of the Land, which I have evermore heard do require a firm Duty and Allegiance to our Sovereign; and that as no Foreign, so neither any Domestick Power can alienate our Allegiance. For it is altogether new and unintelligible to me, that the King's Subjects can depose and dethrone him on any account, or constitute any that have not an immediate Right in his place. We ought, I think, not to do this; and surely when it is done, to assist him in the Recovery of his Right, is justifiable, and our Duty. And however things may seem at present, I do *believe*, I am sure I heartily *pray*, That he shall be one day Restored to his Rightful Throne and Dominions.

As for any sudden Descent of his Majesty upon these his Dominions, in order to the Recovery of them, I declare I had no certain knowledge of it, nor can I tell what grounds there was to believe it, so little reason had I to be in a present Preparation for it. I suppose it is not expected I should here endeavour to clear my self of the Assassination, which was not the Thing alledg'd against me; however, it was mentioned, through what means I know not: As it was insinuated to my disadvantage, I forgive such as were therein instrumental: And I do also from the very bottom of my Soul, freely forgive, and beg of God to do so too, such as were any ways accessary towards the taking away my Life, which I really look upon to be their Misfortune more than mine.

I profess my self, and I thank God I am so, a Member of the Church of *England*, though, God knows, a most unworthy and unprofitable part of it; of that Church which suffers so much at present for a strict adherence to Loyalty, the Laws, and Christian Principles.

*For this I Suffer, and for this I Dye.*

Though I have a perfect Charity for people of all Professions, and do heartily wish well, and would endeavour so to do, to all my Fellow-Subjects, of what Persuasions soever. And indeed, I have met with a great deal of Uprightness and Sincerity among some people of very different Opinions in Religious Matters.

And I hope and desire it may not be taken as an uncharitable Censure, or undue Reflection, that I objected to the Legality of Popish Evidence, being advised so to do for my better Security, upon the foundation of a Statute-Law.

Having own'd my self a Member of the Church of *England*, I must take this opportunity, and I do it for God's Glory, to apply my self to you that are Royalists of that Church, and of the same Faith and Principles with my self: And I beg of you for God's sake, and

the

the love of your Souls, to be very conſtant and ſerious in all Religious Offices, and holy Duties of Divine Worſhip and Service, which I have too much neglected, as I own to my great Sorrow: Let no Excuſe, no Dangers, prevent or hinder you in theſe moſt neceſſary and ſerious Matters; and be, I beſeech you, very careful and circumſpect in all your Actions, Behaviour, and Converſation, as I earneſtly exhorted all that came to me.

I have, I thank God, a great deal of Satisfaction in my preſent Sufferings, and have found it ſo ever ſince I have been under them: And bleſſed be God it doth continually increaſe upon me. And I do now lay down my Life with all Chearfulneſs and Reſignation, in ſure and certain Hope of a Reſurrection to Eternal Life, through our Lord Jeſus Chriſt; through whoſe Merits alone I hope for the Pardon of my Sins, and the Salvation of my Soul.

*And ſo, O Lord, into thy Hands I commend my Spirit, for thou haſt redeemed me, O Lord, thou God of Truth.*

*And I do heartily and humbly beſeech Thee Almighty God, and my moſt Gracious Father, to forgive and bleſs this Sinful Nation; Deliver it from the Guilt of Rebellion, Blood, and Perjury, that is now on all ſides more than ever, and from all thoſe other heinous Sins which cry aloud. Preſerve and Bleſs this Church. Comfort our Diſtreſſed King; Reſtore him to his Right, and his Miſled Subjects to their Allegiance: Bleſs alſo his Royal Conſort, Our Gracious Queen* Mary; *his Royal Highneſs the Prince of* Wales, *That he may grow in Stature, and in Favour with God and Man; Support and Strengthen all thoſe that ſuffer in any kind for a good Cauſe; give them Patience under all their Afflictions, and a happy Deliverance out of them. Forgive all mine Enemies.*

*Pardon my former neglect, and remiſsneſs in Religious Worſhip, and holy Duties, and all the Sins I have been guilty of to this very moment. Conſider my Contrition, Accept my Tears; And now Thou art pleaſed to take me hence, take me into thy Favour, and grant that my Soul may be without ſpot preſented unto Thee, through the Merits of thy moſt dearly Beloved Son, Jeſus Chriſt our Lord.* Amen.

*John Freind.*

## Sir WILLIAM PARKYNS's *Paper.*

IT hath not been my cuſtom to uſe many words, and I ſhall not be long upon this Occaſion, having Buſineſs of much greater Conſequence to employ my thoughts upon. I thank God I am now in a full diſpoſition to Charity, and therefore ſhall make no Complaints, either of the Hardſhips of my Trial, or any other Rigours put upon me. However one circumſtance I think my ſelf obliged to mention; it was Sworn againſt me by Mr. *Porter*, That I had own'd to him, that I had Seen and Read a Commiſſion from the King, to Levy War upon the Perſon of the Prince of *Orange*: Now I muſt declare, That the Tenour of the King's Commiſſion, which I ſaw, was general, and directed to all his Loving Subjects, to Raiſe and Levy War againſt the Prince of *Orange* and his Adherents, and to Seize all Forts, Caſtles, *&c.* which, I ſuppoſe, may be a cuſtomary Form of giving Authority to make War; but I muſt confeſs, I am not much acquainted with Matters of that nature: But as for any Commiſſion particularly levelled againſt the Perſon of the Prince of *Orange*, I neither ſaw nor heard of any ſuch.

It's true I was privy to the Deſign upon the Prince, but was not to act in it; and am fully ſatisfied that very few, or none, knew of it, but thoſe who undertook to do it.

I freely acknowledge, and think it for my Honour to ſay, that I was entirely in the Intereſt of the King, being always firmly perſwaded of the Juſtice of his Cauſe, and looked upon it as my Duty, both as a Subject, and an *Engliſhman*, to Aſſiſt him in the Recovery of his Throne, which I believed him to be Deprived of, contrary to all Right and Juſtice; taking the Laws and Conſtitution of my Countrey for my Guide.

As for my Religion, I dye in the Communion of the Church of *England*, in which I was Educated.

And as I freely Forgive all the World, ſo whoever I may any ways have Injured, I heartily ask them Pardon.

*April* 3. 1696. *William Parkyns.*

*LONDON*: Printed for *William Rogers* at the Sun againſt St. *Dunſtan's* Church in *Fleetſtreet*. 1696.

E.98.

# A Brief Account

OF THE

515. L. 2
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# TRYAL

OF

# Peter Cooke, Eſq;

Who was Tryed before the Lord Chief Juſtice TREBY, *&c.*

At the SESSIONS-HOUSE in the *Old Baily*, on *Wedneſday*, *May* 13. 1696. for High Treaſon.

THE Court being ſate, and the Pannel call'd over, the Priſoners Council, who were Mr. Serjeant *Darnell*, and Sir *Bartholomew Shore*, made ſome Exceptions as to the Pannel, becauſe a new one, and urged, That the Priſoner ought to be Tryed upon the Old Pannel, which the Court over-ruled. After which, they made ſome Exceptions as to the Indictment, pretending falſe Latin, but that was alſo over-ruled.

Then the Priſoner was ſet to the Bar, and the Jury were called to be ſworn, of whom he challenged 35 peremptorily; at length 12 were ſworn, Mr. *Henry Shelbrook* being Fore-man; then the Indictment was read, ſetting forth as in former Tryals. Mr. Attorney General opened the Indictment at large, charging the Priſoner only with the Invaſion.

The Witneſſes againſt him were Capt. *Porter*, and Mr. *Goodman*, who depoſed, That in order to the bringing in of K. *James*, there was a meeting in *May* laſt, at the *Kings-Head* in *Leadenhall-ſtreet*, where there dined the Earl of *Aylesbury*, the Lord *Montgomery*, Sir *John Fenwick*, Sir *John Friend*, Sir *William Perkins*, Mr. *Charnock*, the Priſoner, and Capt. *Porter*, and Mr. *Goodman* came in after Dinner; upon which they entred into a Conſultation for reſtoring K. *James*; and it was agreed to ſend *Charnock* to *France* to invite over K. *James* with 8000 Foot, 1000 Horſe, and 1000 Dragoons, promiſing to join him with 2000 Horſe upon his Landing, *&c.* And *Chernock* putting the Queſtion, Whether they all conſented he ſhould go on that Errant? They all ſtood up and ſaid, Yes you may. And both the Witneſſes agreed, that all the reſt ſate, but the Priſoner kneeled on a Chair, and leaned on a Table; They were examined apart, at the Priſoners requeſt.

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The Priſoner's Counſel did not inſiſt on the Matter of Fact, or the Overt-Act, but endeavour'd to invalidate Mr. *Goodman*'s Teſtimony; to which end they produced a Record of his being Convicted of hiring one *Amedie* to impoyſon two Flasks of *Florence* Wine, to poyſon the Dukes of *Grafton* and *Northumberland*.

Then they produced one *Edwards*, who ſaid, That diſcourſing Mr. *Goodman* about Mr. *Cook*'s Tryal, he ſaid, Mr. *Cook* or himſelf muſt Die, that Hanging was but a ſilly thing, with ſome other light Expreſſions. And this Evidence was confronted by Mr. *De la Rue*, who ſaid, He went by the Name of *Edwards*, but his right Name was *Douglas*, was Chaplain to *Dundees* Regiment, and was in the Liſt of the Aſſaſſines, which *Chernock* ſent to Capt. *Porter*. Next they produced two Drawers, and Mr. *Cock* the Vintner of the *Kings-head*, to prove, that Mr. *Goodman* was not at that Conſultation. And theſe were confronted by Capt. *Porter*, and Mr. *Goodman*, who both gave particular inſtances of his being there. Then they called one Mr. *Hammond*, and two others, who ſpoke to the Priſoners Reputation, that he was Religious, a Lover of his Country, an Abhorrer of all Invaſions by Foreign Forces, and had often wiſhed well to his Majeſties Fleet, *&c.*

The Evidence on both ſides being done, the Priſoners Counſel ſummed up the Evidence very eligantly in behalf of their Client, who then ſpoke in his own behalf, proteſting his Innocence, *&c.* with Aſſeverations.

Then the King's Counſel briefly anſwered the Objections made by the Priſoners Counſel againſt Mr. *Goodman*, after whom the Lord Chief Juſtice *Treby*, learnedly and impartially ſummed up the Evidence on both ſides, leaving it fairly to the Jury, who withdrew, and after above half an hours Conſultation, returned, and brought him in Guilty.

*London*, Printed for *R. Greene*.

2.207.575.62.

# AN ACCOUNT

## Of the Behaviour, Dying Speeches, and Execution of Mr. *John Murphey*, for *High-Treason*; and *William May*, *John Sparcks*, *William Biſhop*, *James Lewis*, and *Adam Foreſith*, for *Robbery*, *Piracy* and *Felony*; at the *Execution-Dock*: On *Wedneſday* the 25th of *November*, 1696.

Licenſed according to Order.

TO give my Reader firſt a ſhort Account of the particular Crimes that brought theſe Unhappy Criminals to their untimely Ends. Theſe five laſt *Pyrates* are ſome of the Crew of the Famous, or rather Infamous Captain *Every*, that committed thoſe crying and bloody Cruelties, in the *Eaſt-Indies*, upon the Coaſt of *Perſia*, and the Kingdom of the *Great Mogol*; theſe moſt Barbarous and Inhumane Wretches, having firſt runaway with one of his Majeſties Men of War, call'd the *Charles*, and diſmiſſed all that innocent part of the Ships Crew that refuſed to engage in their deſperate Deſigns, immediately ſet out as *Pyrates*, make their common Prey upon Friends and Foes, and rob all Mankind. Accordingly they perpetrated thoſe unheard of Barbarities, as firſt plundering and rifling all the Veſſels they met with, Ravishing and Deflowering the Virgins and Women, and then turning them out naked, to ſtarve upon ſhore, amongſt Rocks and Deſarts. But above all, nothing was ſo horrid, as their Surprizing a Ship of the King of the *Indies*, where they firſt took away an infinite Treaſure, moſt inhumanely Ravish'd a Young Princeſs, and the reſt of her Female Train, and afterwards left the Ship diſarm'd and diſabled, floating as a wreck upon the Sea, with near a 1000 Souls on Board, thereby expoſed to inevitable Starving.

This unparallel'd Outrage greatly prejudiced the Honourable *Eaſt-India* Company, the *Grand Mogul* demanding Satisfaction of them for this Depredation and Villany.

After publick Proclamation made, for their Apprehenſion, ſeveral of them were accordingly taken, and *William May*, *Joſeph Dawſon*, *John Sparcks*, *William Biſhop*, and *James Lewis* were brought upon their Tryals on the 19th of *October*, before the Honourable Sir *Charles Hedges*, *Judge* of the *High Court of Admiralty*, together with the Lord *Chief Juſtice Holt*, &c. At which time, notwithſtanding *Joſeph Dawſon* frankly and candidly acknowledged his Crimes and pleaded Guilty; however the Jury (much to Admiration) whether out of Tenderneſs, in relation to not full enough Evidence, or what other unknown Reaſon, acquited them. Nevertheleſs they were afterwards brought upon a new Tryal, and ſuch full and ample Teſtimony came againſt them; as that they received the juſt Sentence of Death, and this ſuffered accordingly.

Capt. *Vaughan* and *John Murphey*, though their Crimes were much of the ſame Nature, *viz.* For their Rapineſs upon the Seas, yet their Arraignment lay higher, *viz.* For no leſs a Crime then *Treaſon*; as that being Native Subjects to the King, contrary to their Allegiance, they had join'd with our *French* Enemies, and committed Hoſtilities upon the Subjects of *England*. Upon their Tryals it appeared, that Captain *Vaughan* had received a Commiſſion from the *French* King, as Captain of a *Privateer*; and that he with oth-

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vol Forces, had attacqued and taken his Majeſties Ship the *Diamond*, and carried her Price into *France*, for which Fact, both he and *Murphy* received Sentence of Death, as Guilty of *High Treaſon*.

After their Tryals and Conviction, though they appear'd very reſolute before, yet upon the certainty of their approaching Death, they behaved themſelves with a little more modeſty, and ſome ſigns of a good preparation for another World. They received the Favour of a conſiderable Time to prepare for Death, and being this 25*th* of *November* all convey'd, (*Murphey* being drawn on a Sledge) to the Execution Dock, between the Hours of three and four, they were all Executed, Captain *Vaughan* only being Reſpited from the preſent Execution to Suffer at *Tyburn*.

*Murphey* appeared the moſt undaunted, though to give them their due they ſeem'd to be all Maſters of as much Courage as was poſſible, at the ſight of ſo infamous a Death before their Eyes. *Murphey* being an *Iriſhman*, and a ſtrong Zealot for the late King and the *French Intereſt*, ſeem'd to have little Regret againſt his Cauſe, which he ſeem'd to adhere to, to the laſt, but rather mainted the Misfortunes of his Life, and other private Sins, which he thought might in a high meaſure bring him to this fatal End, as judging thoſe Errours of his wicked Life more capital then the Crime for which he dyed.

*William May*, was much inclined to Penitence, and expreſt ſome ſenſe of his ſhameful End, and of the more ſhameful Crimes that brought him to that ignominious Death.

*John Sparcks*, likewiſe expreſt a due ſenſe of his wicked Life, in particular to the moſt horrid Barbarities that he had committed, which though upon the Perſons of Heathens and Infidels, ſuch as the forementionꝰd poor *Indians*, ſo inhumanly rifled and treated ſo unmercifully; declaring, that his Eyes were now open to his Crimes, and that he juſtly ſuffer'd Death for ſuch Inhumanity, much more then his Injuſtice and Robbery, in Stealing and Running away with one of his Majeſties Ships, which was of the two his leſſer concern.

*William Biſhop*, ſaid but little, but own'd himſelf as deep a ſinner as the others; and that his three years Roving upon the Seas, was now a very Melancholy Thought to his Soul, and ſo much the more to conſider the Brutality of his Crimes, as being one of a more Barbarous Crew than the Generality of Offenders of that kind.

*Adam Foreſh*, was very Penitent, and truly own'd that beſides the Guilt of his Offences, and the preſent capital Puniſhment, his Wicked Life, attended with the many Hardſhips and Hazards he had undergone in his Robberies, was little leſs than a Puniſhment; for wickedneſs (let it proſper never ſomuch) brings great many troubles and afflictions along with it.

*James Lewis* acknowledged his many Tranſgreſſions, and particularly the Offence for which they all dyed. In fine, they had all the Favour at the place of Execution, of giving them time to offer up their neceſſary Prayers to Almighty God: and then all ſuffer'd according to their Sentence.

*London*: Printed for *T. Crownfield*, in *Cheap-ſide*, 1696.

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# A TRUE COPY OF THE PAPER

Deliverd by

## Sir *John Fenwicke*, Baronet,

TO THE

Sheriffs of *London* and *Middleſex*, on *Tower-Hill*, the Place of Execution, on *Thurſday Jan.* 28. 169$\frac{6}{7}$.

Publiſhed by Authority.

SPeaking nor Writing was never my Talent ; I ſhall therefore give a very Short but Faithful Account, firſt, of my Religion; and next, what I ſuffer moſt innocently for, to avoid the Calumnies I may reaſonably expect my Enemies will caſt upon me when dead, ſince they have moſt falſely and maliciouſly aſpers'd me whilſt under my Misfortunes.

As for my *Religion*, I was brought up in the Church of *England*, as it is eſtabliſh'd by Law, and have ever profeſs'd it ; tho' I confeſs I have been an unworthy Member of it, in not living up to the ſtrict and excellent Rules thereof, for which I take Shame to my ſelf, and humbly ask Forgiveneſs of GOD. I come now to dye in that Communion, truſting, as an humble and hearty Penitent, to be receiv'd by the Mercy of God, through the Merits of Jeſus Chriſt my Saviour.

My *Religion* taught me my *Loyalty*, which, I bleſs God, is untainted: And I have eve endeavour'd, in the ſtation wherein I have been placed, to the utmoſt of my power, to ſupport the Crown of *England* in the True and Lineal Courſe of Deſcent, without interruption.

As for what I am now to dye ; I call God to witneſs, I went not to that Meeting in *Leadenhall-ſtreet* with any ſuch intention, as to invite King *James* by Force to invade this Nation; nor was I my ſelf provided with either Horſe or Arms, or engag'd for any number of Men, or gave particular Conſent for any ſuch Invaſion, as is moſt falſely Sworn againſt me.

I do

I do alſo declare, in the Preſence of God, That I knew nothing of King *James*'s coming to *Calais*, nor of any Invaſion intended from thence, till it was publickly known: And the only Notion I had that ſomething might be attempted, was from the *Thoulon* Fleet coming to *Breſt*.

I alſo call God to witneſs, that I receiv'd the knowledge of what is contain'd in thoſe Papers that I gave to a great Man that came to me in the *Tower*, both from Letters and Meſſages that came from *France*; and he told me, when I read them to him, That the Prince of *Orange* had been acquainted with moſt of thoſe things before.

I might have expected Mercy from that Prince, becauſe I was inſtrumental in ſaving his Life: For when about *April* 1695, an Attempt form'd againſt him came to my knowledge, I did, partly by Diſſwaſions and partly by Delays, prevent that Deſign; which, I ſuppoſe, was the reaſon that the laſt Villanous Project was conceal'd from me.

If there be any Perſons whom I have injur'd in Word or Deed, I heartily pray their Pardon, and beg of God to pardon thoſe who have injur'd me, particularly thoſe who with great Zeal have ſought my Life, and brought the Guilt of my innocent Blood upon this Nation, no Treaſon being prov'd upon me.

I return my moſt hearty Thanks to thoſe noble and worthy Perſons who gave me their Aſſiſtance, by oppoſing this Bill of Attainder, without which it had been impoſſible I could have fallen under the Sentence of *Death*: God bleſs them and their Poſterity, tho' I am fully ſatisfied they pleaded their own Cauſe while they defended mine.

I pray God to bleſs my true and lawful Sovereign King *James*, the Queen, and the Prince of *Wales*, and reſtore him and his Poſterity to this Throne again, for the Peace and Proſperity of this Nation, which is impoſſible to proſper till the Government is ſetled upon a right Foot.

*And now, O GOD, I do with all humble Devotion commend my Soul into thy Hands, the great Maker and Preſerver of Men, and Lover of Souls, beſeeching thee, that it may be always dear and precious in thy ſight, through the Merits of my Saviour Jeſus Chriſt.* Amen.

*J. FENWICKE.*

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*LONDON*,

Printed by *J. Orme*, for *R. Bentley* in *Covent-garden*, and *A. Bonfoile* in *Fleet-ſtreet*.

# *A True* Account *of the* Robbery *and* Murder *of* John Stockden, *a Victualler in* Grub-ſtreet, *in the Pariſh of* St. Giles's Cripplegate, *and of the* Diſcovery *of the* Murderers, *by the ſeveral* Dreams *of* Elizabeth, *the Wife of* Thomas Greenwood, *who was near Neighbour to* Mr. Stockden, *and intimately acquainted with him.*

By *WILLIAM SMYTHIES* Curate of St. *Giles's Cripple-gate.*

MR. *Stockden* was Rob'd and Murder'd the 13th. day of *Decemb.* 1695. and therefore, before I give the Relation of it, I muſt tell my Reader, that he might have had a Publication ſoon after the barbarous Fact was committed, if I had not then been confin'd to my Bed (in which I continued above a Month) at the other end of the Town. And after I was by God's bleſſing brought home, I was not in a condition for many Weeks to go abroad as formerly, nor to diſpatch any great buſineſs. Some of the Neighbours deſired that an Acconnt of it might be brought to me, to be made publick; but one of Mr. *Stockdens* near Relations did not conſent to it, ſo that the Talk of it was over long before I heard of it; and for this Reaſon I had wholly laid aſide the Publication, if two of the right reverend Biſhops and many others, had not oblig'd me to it, who being ſatisfied that the Matter of Fact is true, hoped by Gods Bleſſing it might have a good Influence upon the Minds of thoſe that peruſe it.

However it comes late, yet the Perſons whoſe Names I have Occaſion to mention as witneſſes, are all alive; and thoſe that will take the pains to ſpeak with them, may be further ſatisfied, they being very honeſt Perſons.

That great Diſcoveries have been made by Dreams, none can doubt, who read the Life of Sir *Henry Wotton*, our Engliſh Chronicles (particularly the Murder of *Waters*, and the Diſcovery of it by a Dream, recorded by Sir *Richard Baker* in his Chapter of Caſualties in the Reign of King *James* I,) and other Hiſtories: And I have converſed with many credible Perſons, who have foreſeen things in their ſleep, which have very exactly come to paſs.

On the 13th. of *December* before-mentioned, there came three Men to Mr. *Stockdens* Houſe in the Evening, and called for Drink, where they ſtayed till it was very late, pretending that they had appointed a Countryman to meet them there: Mr. *Stockden*, who was known to be a ſober Man, did often deſire them to be gone, tho' they ſpent freely: But they ſtayed till Midnight, and as Mr. *Stockden* ſat in a Chair, one of them cryed Come, which he, poor Man! might think imported the welcome News of their Departure, but it proved to be a fatal *Watch-ward* to him, for they immediately ſeized upon him, and upon *Mary Footman* his Kinſwoman and Houſe-keeper: They bound her and thruſt an Hankercheif into her Mouth, and held a Piſtol to her, with Threats to kill her, if ſhe made the leaſt Noiſe. At the ſame time two of them ſecured Mr. *Stockden* from crying out, by ſtrangling him with a Linnen Cloth; and becauſe he ſtrugled with them, they took a Piſtol from him that held the Woman, againſt his Conſent, and ſtruck the Lock of it into his Forehead, of which he died: One of them immediately ran up into the Chamber, to ſearch for Money and Plate, of which he found a conſiderable Quantity. They then fled, and had great Advantage to eſcape the Watchmen, knowing that is was but a little after that one of them had cried the Hour of the Night; which is a Cuſtom that gives no ſmall Advantage to Theeves, who are ſecure till the Clock ſtrikes again, if they ſhun the Places where watchmen uſually ſtand, which is no difficult Matter.

A little after the Murder, there came a Woman into the ſtreet, and ſaid, that ſhe believed one *Maynard* to be one of the Murderers, becauſe ſhe was informed that he was full of Money, both Silver and Gold; upon which there was a Warrant againſt him, but he could not be found: Soon after this, Mr. *Stockden* appeared to *Elizabeth Greenwood* in a dream, and ſhewed her a Houſe in *Thames-ſtreet* near the *George*, and told her, that one of the Murderers was there: She went the next Morning, and took one *Mary Buggas* an honeſt Woman, who lives near her, to go with her to the Place, to which her Dream directed; and asking for *Maynard*, was inform'd that he lodged there, but was gone abroad: But God did not ſuffer him to be ſafe in any Place; for after that, Mr. *Stockden* ſoon appeared again as formerly to Mrs. *Greenwood*, and then repreſenting *Maynards* Face, with a flat Mole on the ſide of his Noſe, (whom ſhe had never ſeen) ſignified to her, that a Wyar-drawer muſt take him, and that he ſhould be carried to *Newgate* in a Coach. Upon enquiry they found one of that Trade who was his great Intimate (for which reaſon I forbear his Name) and 'twas believed he would take him for a Reward: Mrs. *Footman* made an Agreement with him, and engag'd to give him Ten Pounds, upon which he undertook and effected it: He ſent to *Maynard* to meet him, upon extraordinary Buſineſs, at a publick Houſe near *Hockley in the Hole*, were he played with him, till a Conſtable came, who apprehended and carried him before a Magiſtrate, who committed him to *Newgate*, and he was carried thither in a Coach.

*Maynard* being now in Priſon, and knowing his danger, confeſt the horrid Fact, and was prevail'd with, to diſcover the other *Three*; and declared, that his Companions in that Wickedneſs, were one *Marſh*, *Bevil* and *Mercer*; and ſaid, that *Marſh* was the *Setter-on*, being a near Neighbour to Mr. *Stockden*, and knowing that he was well furniſhed with Money and Plate; and tho' he was not preſent at the Robbery, yet he was to have a ſhare of the Booty: He knowing or ſuſpecting, that *Maynard* had diſcovered him, left his Habitation. Mr. *Stockden* appeared ſoon after to Mrs. *Greenwood*, and ſeemed by his Countenance to be diſpleaſed; He carried her to a Houſe in *Old-ſtreet*, where ſhe had never been, and ſhewed her a pair of Stairs, and told her, that one of the Men lodged there. The next Morning ſhe took *Mary Buggas* with her to that Houſe, according to the direction of the Dream, where ſhe asked a Woman, if one *Marſh* did not lodge there, to which the Woman replied, that he did often come thither.

Mr. *Stockden* appear'd again, and told Mrs. *Greenwood*, that one of the Men lodg'd at a Shomakers, and carried her into a Street and an Ally; but her Child being unquiet, ſhe awaked; and all the improvement of that Dream was, that *Mary Buggas* took occaſion from it, to Enquire what Shomaker was, acquainted with *Marſh*, and was told that he uſed to reſort to one of that Trade, in *Goldſmiths Ally* in *Jewen-ſtreet*, which was the Street and Ally, repreſented to her in her Sleep: Enquiry was made for him there, and it was acknowledg'd that he had been there, but was gone; & ſoon afterwards he was taken in another Place: I was not willing to omit this, tho' it be the leſt Material Paſſage in the whole Relation.

The third Criminal was *Bevil*, who was diſcover'd in like manner; Mr. *Stockden*, coming to Mrs. *Greenwood* in her Sleep, ſaid to her, *Elſabeth*, (for ſo he was wont to call her) *Come, and I will ſhew thee the Man that hath Murder'd me*, and carried her into a Place like to an Entry with two Doors, and ſaid to her, *Go in Elſabeth, there's the Man*; and ſhe went in and ſaw his Face, and ſaid to him, *O! You are the Man that hath Murder'd Stockden*; to which he made no Anſwer: But his Wife (repreſented to be a Luſty Woman) ſtanding by, repli'd, *what, my Huſband!* To which Mrs. *Greenwood* anſwer'd, *yes, if that Man be your Huſband*; whereupon ſhe came at her in ſuch a violent manner, that ſhe was forc'd to run to Mr. *Stockden* for ſhelter, who then ſaid to her, *they have all of them been Soldiers in Ireland, Go on and proſper:* She then awaked, and told her Dream to her Husband, and the next Morning to Mrs. *Footman*, Mrs. *Pool*, *Mary Buggas*, *Mary Reading* and other Neighbours.

After this, he appear'd to her again, and repreſenting *Bevil* to her (whom ſhe had never ſeen) carried her over *London-Bridge*, to a Houſe near the *Faulcon* by the *Bank-ſide*; but ſhe being exceedingly affrighted, and Indiſpos'd, did not go thither.

After this, ſhe dreamt again, that Mr. *Stockden* carri'd her over the *Bridge*, up the *Borough*, and into a Yard where ſhe ſaw *Bevil* and his Wife: Upon her telling this Dream, it was believ'd that it was one of the Priſon-yards: And thereupon ſhe went with Mrs. *Footman* to the *Marſhal-ſea*, where they Enquired for *Bevil*, and were Inform'd, that he was lately brought thither for Coyning, and that he was taken near the *Bank-ſide*, according to her former Dream: They deſir'd to ſee him, and when he came, he ſaid to Mrs. *Footman*, *do you know me?* She repli'd, *I do not*; whereupon he went from them; Mrs. *Greenwood* then told Mrs. *Footman*, that ſhe was ſure of his being the Man whom ſhe ſaw in her Sleep, tho' that could be no Evidence againſt him: They then went into the Cellar, where Mrs. *Greenwood* ſaw a Luſty Woman, and ſaid privately to Mrs. *Footman*, *that's Bevils Wife whom I ſaw in my Sleep:* They deſir'd that he might come to them again, and firſt put on his Wigg, which was not *on* the time before. The Luſty Woman ſaid, why ſhould you ſpeak with my Husband again, ſince you ſaid you did not know him? One of them told her, that they had a deſire to drink with him: He came the ſecond time, and ſaid, *do you know me now?* Mrs. *Footman* repli'd *No*; but it proceded from a ſudden fear, that ſome miſcheif might be done to her, who had very narrowly eſcaped Death from him; for ſo ſoon as ſhe was out of the Cellar, ſhe told Mrs. *Greenwood* that ſhe *then* remember'd him to be the Man. They went ſoon after to the Clark of the Peace, and procur'd his removal to *Newgate*, where he confeſt the Fact, and ſaid, *To the greif of my Heart, I kill'd him.*

The fourth and laſt was *Mercer*, who would not conſent to the Murder of Mr. *Stockden*, and did preſerve the Life of Mrs. *Footman*, to be (as God would have it) a Witneſs againſt his Companions. Mrs. *Greenwood* did not dream any thing concerning him, nor hath there been any diſcovery of him; but he is eſcaped, and the other three were executed.

After the Murderers were taken, Mrs. *Greenwood* dreamt, that Mr. *Stockden* came to her in the ſtreet, and ſaid, *Elſabeth, I thank thee, The God of Heaven reward thee for what thou haſt done:* Since which, ſhe hath been at quiet from thoſe Frights, with which ſhe was ſo tormented, that her Husband, who is a very honeſt good man, told me, he was afraid, that ſhe ſhould not out-live them: And her Neighbours ſaid, that ſhe was ſtrangely altered in her Countenance.

Thus I have given a ſhort, but true Account, of an extraordinary Providence of God, in the Diſcovery and Puniſhment of notorious Murderers: And, tho' I am ſenſible, that there are many in this ſceptical Age, who will ridicule and make ſport with this Relation; (whoſe Intereſt it is to run down all Narratives of this Nature) yet I hope, that men of better minds, will judge this more worthy of Publication, than many others that have appeared abroad.

*Cripplegate,*
*Apr.* 20th. 1698.

*William Smythies.*

I Certifie, That the preſent Dean of *York*, the Maſter of the *Charter-Houſe*, and Dr. *Allix*, and my Self, had the particulars of the foregoing Narrative, immediately from Mrs. *Greenwood*, and Mrs. *Buggas*, at my Houſe, and there appeared not the leaſt Reaſon to ſuſpect our being impos'd upon.

*Edw Glouceſter.*

*LONDON*, Printed and Sold by *A. Baldwin* in *Warwick-lane*, 1698.

# The TRIAL of Susannah Fowles

## Of *HAMMERSMITH*,

## For Blaspheming JESUS CHRIST, and Cursing the LORD'S PRAYER; and who also pretended to be possest with a Devil.

ON *Saturday* the *7th* of *May*, 1698. *Susannah Fowles* of the Parish of *Hammersmith* in the County of *Middlesex*, was Indicted at the Sessions-House in the *Old-Baily*, for uttering blasphemous Words against Jesus Christ, and Cursing and Damning the Lord's Prayer. The Account of her Trial is as follows.

The first Evidence depos'd, that the Prisoner's Husband came to him, and told him that his Wife was possest with a Devil: upon which he ask'd him if she had been guilty of any heinous Sin? and was answered, That upon some Discontent she wished several unlawful Wishes, such as *That the Devil might fetch her*, cursed her self *if she would live such a Life*, &c. And upon her being visited she said, she saw an Apparition in the shape of a Man; and afterwards seem'd to be possest with a Devil, and had seemingly dreadful Fits, and made a great noise at Prayers; and when she was out of her Fits, she told the Spectators that she saw the Apparition sometimes in one shape, and sometimes in another; and at one time said it was one Mr. *Thomas*, and then making a great squeek, said, *Now he is gone out of me*; That she used to make a squeek at the end of every Fit, sometimes two Squeeks, and sometimes three; and one of the Ministers who visited her, being jealous of her being a Cheat, said that at the end of next Fit she would make four Squeeks, which she did. It was also observ'd, that as soon as Prayers begun, she took her Fits, and pretended to be altogether senseless; at another time that she said, *She saw a short Man with a long Beard, which her Handkerchief was a fool to for length*: and it was taken notice of, that she never alter'd her Countenance in the time of her Fits; which, together with divers Methods which were us'd to make her believe they were at Prayers when they were not, increased the belief that she was a Cheat: And being questioned if she dissembled, she said, *if she did, it were just with God to strike her dead*: and upon its being declared to her she was a Cheat, she and all her Family spoke not one word. Afterwards at another visiting she seem'd to be in a great Fit, lifting up her hands as if she would have done her self some mischief; but upon speaking the words *Tie her*, she let them rest. It was likewise observ'd, that when she was in her Fits, she never cursed nor blasphemed, as those who are possest with the Devil do, until she heard some of the Ministers take notice of it; and then she did.

At another time the Visiters read and prayed with her from morning to night, when she seem'd to be in an Agony; and being forc'd on her knees at Prayer, she swore *she would go with him on Friday*, naming the Devil frequently; and on the *Friday* following she said, *One of the Windows above-stairs was open, and the Devil was come to fetch her*, making a great noise, and lighting a great many Candles: and search being made for the open Window, it could not be found.

On the 3*d* of *January* last, upon one of the Visiters repeating the words *Lord save us*, she said, *I'll save you*; and frequently upon repeating the Lord's Prayer to her, she said, *Curse it, damn it, sink it*; and upon repeating the words *I believe in God the Father Almighty*, she said, *that's me*; and at repeating the words, *And in Jesus Christ his only Son*, she said, *that's my Son*. At another time when the words *Lord save us* were again repeated to her, she said, *I'll save you, I came to save you all, for which I shed my Blood*. And at other times, on repeating the Lord's Prayer, she inverted the Expressions: and instead of the words *Lead us not into temptation*, she said, *lead us into temptation*; and at the words *Deliver us from evil*, she said, *bring evil unto us*. And upon repeating the words *Glory be to the Father and to the Son*, she said, *that's to me and my Son*. And always at naming the Name of *Jesus*, she would say, *Curse him, curse him*. It was observed that a little before her Marriage she swore that the Devil might fetch her away if ever she went to live at *Hammersmith*, which she did notwithstanding the same

The Evidence also deposed, that the Prisoner said, she had a Needle and a Paper in writing given her by the Devil; and that she had a Spell given her to put about her Neck by one *Jordan* a Papist, some of which Profession she said had sent to her several times, and told her she would never be cured till the Men with hair Coats and bare Legs came from the *Portugal* Embassador's: Which some of the Ministers, who were Visiters and Evidence against the Prisoner, declared, encreased their belief that it was a trick of the Papists to obtain the Credit of having done that which Protestants could not, *viz.* to cast out the Devil. Another time one of the Visiters said she could not spit in his Face; but she deceiv'd him, and did it; and another of the Visiters spitting in her face, she return'd it, and call'd him *Q— in the corner*. It was also observ'd that at repeating the Lord's Prayer in Latin, she did not fall into her Fits as usual when 'twas said in English, which was a further Confirmation of the Cheat.

To prove which more fully, one of the Evidence deposed, that to try her he heat an Iron; and when the Minister was at Prayer, and she in her Fits as usual, even when she pretended to be insensible, he put it to her Hand, which she drew away from it as soon as it touch'd her; and filling a Pipe of Tobacco, he blew the Smoke of it into her Face, which was like to have stifled her: And afterwards disguising himself in an ugly dress, entered the Room where she was alone; upon which she immediately run out, saying it was the Devil, and was much frightned; which was a further demonstration she was a Cheat. After which the Evidence threatning to knock her on the head if she would not confess the Cheat, she did it freely, and said 'twas purely to get money, which she also own'd, to some others of the Evidence. And it appeared that after her being taken up she pretended to have none of her fits.

The Prisoner in her defence said, that great Troubles had occasioned her to fall into a distracted condition, and that she knew not what she did; that she did verily believe she was either troubled with a Devil, or bewitch'd; that *Jordan* the Papist had given her things both inwardly and outwardly; and that what she had confest, was only to avoid being carried to Prison. But all this being look'd upon as frivolous and evasion, and the Evidence being very full and clear, the Jury brought her in Guilty.

She was sentenc'd by the Court to pay a Fine of 100 Marks, and to lie in Prison till it be paid; to stand three times on the Pillory, *viz.* at the May-pole in the *Strand*, at *Charingcross*, and at *Hammersmith*; and to find Surety for her good Behaviour for a Twelve-month.

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*That will be publish'd in 2 or 3 days a Book intituled*, Immorality and Profaneness expos'd to the Reproof of Scripture, and Contempt of the Law. Being a Compendium of the Laws in force against Swearing and Cursing, Debauchery, Drunkenness, Blasphemy, and other notorious Immoralities. With the Texts of Scripture prohibiting such Vices, and Examples of God's Judgments out of approved Authors on the Offenders therein. By *G. Morton*, Gent. Price 1 *s.* stitch'd.

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[illegible] Lon[illegible] [illegible] at the Bell in Cornhil [illegible] Militia Reform'd, Price 1 *s.* 1698.

# *A True Account of the Behaviour, Confessions, and last Dying Speeches of the Condemned Criminals, that were Executed at* Tyburn *on* Wednesday *the* 3*d. of this Instant* August, 1698.

THE Ordinary is much obliged to the Right Honourable and Right Reverend Father in God, the Lord Bishop of *London*, for sending to his Assistance Mr. *Adams*, Minister of St. *Alban's* in *Wood-street*; and Mr. *Moorer*, Minister of St. *Anns Aldersgate*, who visited the Condemned Criminals every Day with great Care and Fidelity.

## *On the* Lord's-Day, *after the Condemnation of the Condemned Criminals, a Sermon was Preached on this Text,*

Proverbs 30. 17. *The Eye which mocks the Father, and despises the Counsel of the Mother, the Ravens of the Valley shall pluck it out, and the young Eagles shall eat it.*

THis Text is suitable, because many Criminals at their Execution lament their undutifulness to their Parents: affirming That this sin made way to their succeeding Crimes, which may warn Young Persons against Disobedience to their Parents, to prevent an untimely ignominious death. Persons undutiful to either Parent, being driven to extreme want, usually fly to the Wars, as a Refuge; and being slain, their Carcasses lie unbury'd. *The Ravens which haunt the Valleys for Carcass*, pick out the Eyes of a Rebellious Son, as the Instrument of unnatural Malignity; and if they leave it uneaten out of a loathing Contempt, the young Eagles as more greedily intent upon the Prey, devour that Eye, which disdainfully abused the Parent, as a just revenge of undutifulness. The Mothers Person, and her Instructions, are usually more slighted than the Fathers.

Therefore the Sacred Scripture stiles the Mothers Admonition a Law, to guard its Authority from contempt. *Prov.* 1. 8. and 6. 20. What tho' Children do not so absolutely depend on the Mother for a livelihood, yet the Observation of Reverence towards her, should not be grafted in Self-Interest. The Tongues and Doings of such who despise their Parents, will soon affront the Father of their Spirits, and provoke him to destroy them. Such are seldom the objects of God's Converting Grace; for that when Common Reason is silent, or deposed, their Passions are more furious than those of Beasts. A Curse will come swiftly on such who frustrate the Design of Gospel Grace, which is, to turn the Disobedient to the Wisdom of the Just, to comply with the Counsels and Examples of Holy and Righteous Parents. Otherwise it cannot be expected that the Hearts of a Nation should be prepared for a thorough Reformation, St. *Luke* 1. 17. It is very observable in the 19. Chapter of *Leviticus* the 3. verse, That the Law of obeying Parents is placed before the observation of the Sabbath. Therefore he cannot truly fear the Lord, nor be Religious, who doth not honour his Parents. This introduces the Contempt of God himself, and leaves the tincture of Impiety on the Heart. Such will soon violate the Sanctity of the Sabbath who slight their Father and their Mother. *Ezekiel*, 22. 7, 8, 9. Nor will this pretence vacate or disannul my Duty to Parents, that he or she is unnatural to their Off-spring, or impious toward God. For in the worst of Parents, there is the impress of God's Authority who hath made them the Instruments of their Childrens Being.

In the Great Day of Christ's Universal Judgment, Parents shall implead their Disobedient Children, who rejected their tender faithful Admonitions with a fearful Heart.

How will good Children acknowledge their Parents faithfulness, who train'd them up in early Piety, bequeathing the fear of God's Majesty as the best Inheritance? How will such Parents be honour'd in presenting their Off-spring at Christ's Tribunal, as the regenerate Sons of God, as made Ornaments to Heaven it self; Good Parents did not rigidly stand upon their Authority, and at the same time undermine it by any vicious practice. Their Examples were more prevalent than their Precepts. They did not indulge them in any show of Vanity, but convinced them of the odiousness of the sin of Pride and Voluptuous Sensuality. They put them upon Serious Employment. Their Reproofs were not too mild: They did not stroak them when they did amiss, but used all means to save their Souls. They exercised and maintained mutually in the Marry'd State, the Purity and Strength of Love; this shed a benign influence on their Off spring, to force them into an high Veneration of their Parents. The Reason is, because the quarrelsom Husband or Wife, indulge that Child most, in vicious Excesses, who strikes in, and upholds the Contest, by a contempt of the other Parent.

Let Parents consider, that they have begotten their Children, with the Image of Sin and Satan upon them. Tho' Parents cannot cure corrupt Nature (it being God's Prerogative only, to work Grace in the Heart) yet the Parents winning Amiability of an exemplary Holiness, may check a sensual course, and by degrees, may form their Off-spring to the love of Christian Vertues. Thus they shall not strengthen the poisonous works of sinful Nature in their Children, who otherwise affix the Seal of their own choice, to make themselves miserable to Eternity.

How may Parents who have neglected their duty to their Children, condole their untimely death? O my unhappy Child, how have I contributed to thy Perdition? I thrust thee forth into the World as a Sea of Temptation, without instructing thee in the knowledge of God, and thy Duty to him. Had any Limb of thy Body grown awry, surely I had rectified this bentness, while Nerves were gentle and pliable; but I have not been careful to set thy Heart streight toward God. How unworthy have I been of the Title of a Parent, who deckt thy Body and taught thee Complemental Postures, but not how to foot it right in the Paths of the Lord. Had I Instructed, Reproved, and Corrected thee, thou mightest have been an Ornament to Heaven: But Oh! How have I sunk thee to the Regions of Darkness, with the weight of sinful Guilt, which might in time have been prevented. Only Condoling, How am I now divorced with Anguish of Heart and fruitless Blasphemy! It is too late to recover thy Soul by all my Prayers and Tears.

Think on the other hand, how the Rebellious Fondling will lament his untimely and shameful death. Is any misery like mine? I despised all the Counsel of my Parents: This was the Source of my Profaneness, in breaking all the Laws of God and Man. How have I walkt in the Counsels of my own Heart, which have betray'd me to my Ruin? How hath Satan train'd me up by all the Artificers of his Temptations, to the pursuit of my Lusts with greediness? How hath my Affectation of too much Liberty made me shameless as to bring my self in the Chair of the Scorners? I have refus'd to acknowledge even God's Supremacy. How worse have I been in sinning, as if it were the very perfection of my Nature? I have not regarded either the Favour of God, nor his Frowns, but have obey'd readily the corrupt dictates of one false Heart. Therefore, I am now justly plagu'd with an obdurate Heart which cannot repent. Yet let not hot-brain'd such in a despairing condition. O beg of God before it be too late, that tho' your Ears have been shut against the beseeching Solicitations of his Spirit, yet that now your Hearts may be set wide open to Christ, the King of Righteousness, that he may be formed in them, and so truly rule them by the Conduct of his Word and Spirit. Strive that all the effects of sincere repentance may be made conspicuous in your Conversion from the Dominion of all Impurity, to the love of the Power of Godliness. O that every self-condemning Sinner would not rest in meer complaining of the malignity of Sin against the Holy Jesus, but would study to make his Heart clean from the incorporating defilement of his Lusts. The Lord's great end and design in inflicting anguish of Spirit on Sinners, is, that they may return from the pursuit of their youthful Vanities. As yet it is not too late to retrieve a course of Sinning. If you earnestly and indefatigably beg the renewing Grace of God's Holy Spirit, he will assist you with success. If you unfeignedly repent and convert to God, the Guilt of your Impieties shall be expiated, to present you before the Throne of his Glory, pure and spotless with exceeding Joy.

*I purpose to give an Account of the Behaviour and Confessions of the Condemned Criminals, which I took in Writing according to their own Expressions.*

1. Ferdinando Cranston, condemn'd for false Coining the Current Money of this Nation; he deny'd not the Crime: What he acknowledged besides, I shall set down in his own Expressions. He is aged thirty years, was born in *Cumberland*, his Parents died when he was seven years of age, his Uncles took care somewhat of his Education, putting him to School, but afterwards spent that Estate his Father left him; but yet God took care of him and preserved him by his Providence. He went to Sea, to get a Livelihood, but was like to be cast away twice; he then made Vows to God, That he would live more strictly, and did often reprove Sin in his Company, who swore or did any thing amiss: He said, that while the Mercy of God's wonderful Deliverance was fresh in his mind, he kept his Heart close and fix upon the Lord; but that sense of his Goodness did wear off and abate, which since he is sorry for. He said, that he did not lead a vicious life, and that now God chastizes him for to wean him from the rebellion of his Heart; for tho' he kept the Church constantly, yet it was not with that diligent attendance to the Word of God Preach'd, nor with that delight in it which ought to have been. He said, that when he came lately from Sea, he lodg'd in the House of one *John Pessal*, and he tempted him to the bad Crime, and accused him, that he drew him into it. And that he prays God to forgive him, and all his Enemies.

He confess'd, that since his Confinement for his Crime he began to consider what the Sins of his Life past were, for which he did truly repent, and therefore that the Lord being displeased with him, suffer'd him to fall into this Crime. He bless'd God, that by his Holy Spirit, he found good Thoughts in his Heart, and perform'd many Religious Services to God; yet that these are so defective, and mixt with wandering Thoughts, that they are the Burden and Grief of his Soul: Yet he desir'd not of Gods Mercy, because he hath promised to forgive the Sins of such who truly repent, and that he will not remember them to their Eternal Condemnation, tho' he sheweth them severely in this Life: Hereupon, he considered what true Repentance is, and said that he found, that his mourning for his Sin was chiefly for offending the Lord, and not merely out of horror of Conscience and the fear of his Torments: And that he now more hates his Sin, than at any time he delighted in it. He said, that true Repentance is a hearty turning to the Lord, in the universal change of the Heart, as well as by the Convictions of the evil Nature of Sin in the Mind: And that if his Heart deceive him not, he now is in studiously desirous to serve the Lord, as he had formerly been forward in disobeying him: And that although he cannot so fully clear up the wrath of his Repentance, because he hath a short time to live, and bring forth fruits of Holiness, yet that the Lord will accept of his Repentance, if it be from his Heart.

He said, that this much troubles him, that in the best of his Devotions, his Thoughts wander and are not so fix'd on the Lord. He also said, That if his Life might be spared, he hopes that he should never forget so great a Mercy, but would endeavour, to the utmost, to improve it in an honest Employment; yea, in a strict course of Conversation in the World: For fear, That he is not over-fond of longer living, because that he is prone to back-sliding; for he is very sensible, that he hath formerly quenched the motions of God's Holy Spirit.

I ask'd him, what True Saving Faith is? He reply'd, That it is not a mere reliance on God's Mercy and Christ's Merits, but the sincere Resignation of the Heart, in obedience to Christ's Sacred Laws. I hope that he is truly Penitent.

The second Criminal condemn'd, is *John Lee*, a Soldier, for the Murdering of his Fellow: He is aged eight and twenty years, born in *Cheshire*. He was a Farmer's Son, and went from his Father, being undutiful, into the Army, and hath been fifteen years in that Service. He confess'd, That he seldom thought on God, until he was ready to engage with the Enemy in Battle. He neglected to pray at other times, and was addicted to swearing, and that he frequented the Company of Women; and that the death of his Fellow Soldier much troubled him, because on a Sweden he killed him, as quarreling about paying of a Reckoning, so that his Fellow might not be in a fit condition to die. He said, that he strives to repent of all his sins, yet that God can only work it in him, and that he relies on God to give it him.

The third, *Mary Porter*, *Mary Seager* and *John Brown*, all three Condemned some Sessions ago for Burglary, were brought to their former Judgment.

On *Wednesday* the 3d of *August*, *John Lee*, *Ferdinando Cranston*, *Mary Porter*, *Mary Seager*, and *John Brown* were carry'd from *Newgate* to *Tyburn*. The first being in a Cart by himself, the second in a Sledge, and the three Women in another Cart; and being come to the Place of Execution, where they were assisted by two Eminent Divines, who at their first Application to the Criminals, desired of them, if they were willing to give warning to the Spectators to avoid the Crimes for which they were to die, who unanimously declar'd they were: But for some Reasons, put it upon one of the Ministers to do it for them, which being faithfully discharged, they all kneeled down upon the Cart, and the four former joyned with the Ministers in Prayer for a considerable time; after which, at the desire of the Prisoners, some part of the 4th *Psalm* was sung. *John Lee* owned the Crime for which he was to die, and said that his being in Drink was the occasion of it: That he had been with the deceased in the *West Indies*, and in his Majesty's Service at home, and in *Flanders*; and that they never quarrelled, nor had he any premeditated Malice against him; but in a sudden Passion gave him the Wound without any sufficient ground of Provocation: He said he was never inclinable to any indirect Methods, more than what his Station led him to when in *Flanders*; was heartily sorry for the Fact, and for his Sins, and seemed very Penitent. *Ferdinando Cranston* confess'd he had followed the Trade of Counterfeiting the Coin for some Years, and did not seem to deny his being concerned likewise in Coining, viz. the Stamps on Paper; upon which account he own'd he had been in *Chester* Goal, but made his escape. He also confess'd also been a great Sinner, but hoped for forgiveness; seem'd very Penitent. *Mary Porter* and *Mary Seager*, own'd that they were guilty of the Crime for which they were to die; and said that one *Benn* was with them in the Performance. That they had been guilty of so many Crimes of that nature that they could not remember one half of them; and said that the keeping of bad Company had hardened them in their Practice: That they had been very much guilty of the Sins of Profanity and Debauchery; died seemingly very Penitent. *John Brown* owned the Crimes for which he was to die, but seem'd to lessen it: She declared she died a *Roman Catholick*. All the Prisoners begged the Prayers of the Spectators, died in forgiveness with all Men. And having desired the Divines to sing some part of the 51th *Psalm*, which was done accordingly; the Cart drew away.

*Leonard Lemaras*, who was to have been Executed with the other Criminals for Robbing on the High-Way, is Reprieved for Seven Days.

*This is all the Account I can give of this Sessions.*
*Dated* Aug. 3.

Sam. Smith, *Ordinary.*


## ADVERTISEMENT.

*The Vertues and Uses of that Excellent* Gargarism, *or* Mouth-Water *for the Teeth and Gums, truly prepared by* W. Elmy, *at the* Blew-ball *in* Whale-bone-Court, *at the lower end of* Bartholomew-lane, *by the* Royal Exchange.

IT cures the Scurvy in the Mouth, and makes a good Palate, and sweetneth the Breath, by dipping a Liquorish Stick stumped at the end in this said Water, and rub your Gums therewith as often as need shall require: It whitens black and yellow Teeth, by rubbing your Teeth and Gums with a Tooth-brush dipped in this Water it fastens loose Teeth, and prevents their decaying, by holding half a Spoonful or more on that side of the Mouth which is afflicted, by causing the Rheum which falls upon the Nerves that lie under the Roots of the Teeth, to come away by Admiration. It is good for young Children in breeding their Teeth, and fit to be taken inwardly for Fevers: In short, it is good for all Diseases incident to the Teeth or Gums.

*The Glasses are of several Prices.*



*LONDON*, Printed for *E. Mallet* next the King's Arms Tavern near *Fleet-Bridg*, 1698.

# An Account of the PROCEEDINGS AGAINST Capt. Edward Rigby,

*At the* Seſſions of Goal Delivery, *held at* Juſtice-Hall *in the* Old-Bailey, *on* Wedneſday *the Seventh Day of* December, 1698. *for intending to Commit the* Abominable SIN of SODOMY, *on the Body of one* William Minton.

**Printed by Order of the Court.**

AN Indictment was found againſt Captain *Rigby*, for that he, the Seventh day of *November laſt*, did Solicite, Incite, and as well by words as otherways, endeavour to perſwade one *William Minton* (of about the Age of Nineteen Years) to ſuffer him the ſaid *Rigby*, to commit the Crime of *Sodomy* with him the ſaid *Minton*. And the ſaid *Rigby* did alſo Endeavour and Attempt, to Commit the Crime of *Sodomy* with him the ſaid *Minton*; and did alſo do and perpetrate divers other Enormities and abominable things, with an intent to Commit the Crime of *Sodomy* with the ſaid *Minton*.

Captain *Rigby* being ſenſible of his Guilt, and unwilling the ſame ſhould be diſcloſed to the World, would not therefore Plead *Not Guilty* to his Indictment; neither would he confeſs the ſame, but Demurr'd to the Indictment, in hopes, as his Council alledged, that they might find ſome Fault therein; but upon Arguing the Demurrer, the Court were of Opinion the Indictment was good, and therefore Judgment was given againſt *Rigby*, which was the ſame as if he had Pleaded *Guilty*. And on the laſt day of the Seſſions, the Council for the King demanded Judgment againſt him, which could not be Adequate to his Crime; and for the Information of the Court, in order to give a Juſt and Exemplary Judgment, pray'd, That ſeveral Affidavits which were produced might be Read, which accordingly were Read; whereby it appeared, That on *Saturday* the Fifth of *November* laſt, *Minton* ſtanding in St. *James's Park* to ſee the Fire-works, *Rigby* ſtood by him, and took him by the hand, and ſqueez'd it; put his Privy Member Erected into *Minton's* Hand; kiſt him, and put his Tongue into *Minton's* Mouth, who being much aſtoniſh'd at theſe Actions went from him; but *Rigby* purſued him, and accoſted him again; and after much Diſcourſe prevailed with *Minton* to tell him where he lodged, and to meet him the *Monday* following about Five a Clock, at the *George-Tavern* in the *Pall mall*, and to Enquire for *Number* 4. *Minton* the next day Acquainted *Charles Coates*, Eſq; (with whom he lived) with what had happened to him the Night before, and deſired his Advice and Direction therein; who with a Worthy Divine then preſent (being willing to detect and puniſh the Villany deſigned by *Rigby*) directed *Minton* to apply himſelf to *Thomas Railton* Eſq; a Juſtice of the Peace for *Middleſex*; who being informed of what paſt between *Rigby* and *Minton*, appointed his Clark with a Conſtable, and two other Perſons, to go with *Minton* to the *George-Tavern*, who were to ſtay in ſome Room adjoyning to the Room whereinto *Minton* ſhould go: and if any Violence ſhould be offered to him, upon crying out (*Weſtminſter*) the Conſtable and his Aſſiſtance ſhould immediately enter the Room.

That on *Monday* the Seventh of *November* laſt, about Four of the Clock in the Afternoon, *Rigby* came to the *George-Tavern*, and left *Number* 4. at the Bar, with Directions, That if any Enquired for that Number, to ſend them to him; after *Rigby* had been about an Hour at the Tavern, (*Minton* not coming) *Rigby* called up one of the Drawers, and in a Paſſionate manner, bid him go to *Minton's* Lodgings, and enquire for a young Gentleman; and if he were within, to tell him a Gentleman ſtaid for him at the *George-Tavern*; the Drawer accordingly went, but *Minton* not being within, the Drawer return'd that Anſwer to *Rigby*.

That

That about six a clock *Minton* came to the *George Tavern*, enquired for Number 4. and was shewed into the room where *Rigby* was, and the Constable and his assistance were placed in a Room adjoyning; *Rigby* seemed much pleased upon *Mintons* coming, and drank to him in a glass of Wine and kist him, took him by the Hand, put his Tongue into *Mintons* Mouth, and thrust *Mintons* hand into his (*Rigby*) Breeches, saying, *He had raised his Lust to the highest degree, Minton* thereupon askt *How can it be, a Woman was only fit for that, Rigby* answered, Damn'em, they are all Port, I'll have nothing to do with them. Then *Rigby* sitting on *Mintons* Lap, kist him several times, putting his Tongue into his Mouth, askt him, *if he should F——him*, how can that be askt *Minton*, *I'le shew you* answered *Rigby*, *for it's no more than was done in our Fore fathers time*; and then to incite *Minton* thereto, further spake most Blasphemous words, and said, *That the French King did it, and the* Czar of *Muscovy made* Alexander, *a Carpenter, a Prince for that purpose*, and affirmed, *He had seen the* Czar *of* Muscovy *through a hole at Sea, lye with Prince* Alexander. Then *Rigby* kist *Minton* several times, putting his Tongue in his Mouth, and taking *Minton* in his Arms, wisht he might lye with him all night, and that his Lust was provoked to that degree, he had ——in his Breeches, but notwithstanding he could F—— him; *Minton* thereupon said, *sure you cannot do it here*, yes, answered *Rigby*, I can, and took *Minton* to a corner of the Room, and put his Hands into *Mintons* Breeches, desiring him to pull them down, who answered he would not, but he (*Rigby*) *might do what he pleased*; thereupon *Rigby* pulled down *Mintons* Breeches, turn'd away his shirt, put his Finger to *Mintons* Fundament, and applyed his Body close to *Mintons*, who feeling something warm touch his Skin, put his hand behind him, and took hold of *Rigbys* Priv Member, and said to *Rigby*, *I have now discovered your base Inclinations, I will expose you to the World, to put a stop to these Crimes*; and thereupon *Minton* went towards the door, *Rigby* stopt him, and drew his Sword, upon which *Minton* gave a stamp with his foot, and cry'd out *Westminster*; then the Constable and his Assistance came into the Room, and seized *Rigby*, who offer'd the Constable a Gratuity to let him go, which he refusing, carryed *Rigby* before Sir *Henry Dutton Colt*, before whom *Minton* charged *Rigby* (who was present) with the Fact, to the effect before related; who being askt by Sir *Henry Colt*, *Whether the Fact* Minton *had charged him withwere True*, Rigby denyed not that the Charge against him was true, only objected against some inconsiderable Circumstances, which no ways tended to the lessening of the Charge.

That after all the Informations were read, *Rigby* was askt by the Court, *What he had to say for himself*, he desired that a Gentlemans Affidavit who was present when this matter was transacted might be read; the Court told him, *That that Gentleman stood Indicted in the same Indictment with him, for being Aiding, Advising, and Assisting to him, in committing his Crime, and therefore could not be an Evidence for him.* *Rigby* was askt by the Court *what further he had to say*, he insisted on his Innocency, that he was misadviled by his Council in Demurring to the Indictment, which if he had known had been Confessing of the Fact in case the Court had been of Opinion that the Indictment was sufficient, he would not have done it; but seeing the Law was so he must submit to it; he said he was Drunk, and might kiss *Minton* several times. To which it was answered by the Kings Council, *That his* (Rigbys) *Council had well advised him, and he knew his Guilt to be such, That it would be proved by Three or Four Witnesses beyond all contradiction, and therefore* Rigby *Demurred to the Indictment, in hopes thereby his Crime would not be Disclosed, as it must have been if he had pleaded Not Guilty to his Indictment, and submitted to a Tryal; but as the Fact had now been made publick in Court; and it also appearing that he was not Drunk when he Committed it.*

It was therefore prayed by the King's Council, that the Court would give an Exemplary Judgment against him, for that Crime of which, by his own Confession, he stood Convicted, and was not in its Nature to be Aggravated.

And the Judgment which was pronounced by the Court against *Rigby*, was, *viz.*

*That he stand Three several Days in the Pillory, for the space of two Hours, from Eleven of the Clock to One, in each of those days.*
*The First day over-against the* George-Tavern *in the* Pall-mall; *the Second day at* Charing-Cross, *and the Third day at* Temple-Bar.
*That he pay a Fine of* 1000 l. *to the King.*
*That he lye in Prison for a Year, after he shall have paid his Fine.*
*And that before he be discharged out of Prison, he shall find sufficient Sureties for his good Behaviour for Seven Years.*

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*London*: Printed by *F. Collins* in the *Old Bailey*. 1698.

2:207

# The Bawdy-House Tragedy:

OR THE

Mischief that attends Lewd Company.

515. L. 2
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*Being an Impartial Account of the*

# Barbarous MURTHER

OF

# Mrs. Mary Duckenfield,

## A Woman past her Reckning, who came to fetch her Husband from a Disorderly House at the End of Castle-street at the back-side of Little St. Martin's-Lane.

Shewing, *How they barbarously and immodestly abus'd her Body, and how the little Infant sprung, mov'd, and stirr'd in her Belly,* &c. *With her Husbands being Apprehended, and Committed to* Newgate.

NOT *to look backwards into the Black List of Barbarous Cruelties, perpetrated through or by Lewd and Salacious Women, I shall here give such a direful Instance of the Miehiefs that attend such vicious Company; as, I hope will create a just loathing of such* Pandors *of wickedness; an Instance of a twofold Murther, an Instance of a whole Family, ruin'd, disjoynted, and destroy'd, in a moment, in the very twinkling of an Eye. And it is thus*

*Friday* the 17th. of this Instance *June*, *Mary Duckenfield*, a Woman of known Integrity and good Reputation amongst her Neighbourhood; hearing that her Husband was got into a House of bad Repute, and amongst Lewd Company at the end of *Castle-street* at the Backside of *Long-Acre*, over against the end of *little St. Martin's-Lane*; in a very mild and courteous manner went to enquire for, and desir'd to speak with him, alledging an urgent occasion; but they utterly deny'd, with many protestations, that he was there, tho whilst they were thus parling, the poor Woman heard her Husbands voice; and thereupon perhaps too much warm'd with Jealousie, rush'd into the House; where alas she was no sooner enter'd, but (as we are inform'd) a Gang of Pimps, Petticoat-Pentioners, and such like Villains, fet upon and dragg'd her from one end of the House to another, some Rending, some Tearing, others Kicking and immodestly abusing her; till at length, amongst 'em, partly by throttling, and partly (as we are further told) by beating her on the Head, Breasts, and Belly, they sent her to her long Home, Eternity.

Now, what infinitely further adds to the Barbarity of the Action is, the unfortunate Woman was so nigh her Counts end, that the little Infant lively sprung in its Mothers Womb several Hours after the Mothers Death, even this very Morning; as we are creditably inform'd. The *Jury* had not then pass'd their Verdict on her; But the whole disorderly Family were all secur'd in Prison, for a further Inquisition: more particularly we are inform'd her Husband is committed to *Newgate*

A more Woful and Loathed Spectacle, than the Deceased is, never humane Eyes Beheld; occasion'd as I suppose by the Greenness of her Condition.

LONDON, Printed and Sold by T. Read near Fleet-Bridge. 1691.

# The Bunbury Mock Tragedy:

OR THE

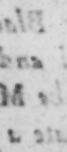
Wickhiet that attend Love and Company.

Barbarous Murder

of

# Mrs. Mary Duckenfield,

Who was poisoned by Her Husband, Daughter and Servant.



On Friday the 13th, of this Instance June, Mary Duckenfield, a Woman of known Integrity and good Reputation amongst her Neighbourhood; hearing that her Husband was got into a Habit of bad Company, and amongst bad Company at the end of Cafile-street at the Backside of Long-Acre, over against the End of little St. Martin's-Lane; in every mild and courteous manner went to expostulate for, and dehorted to speak with him, alledging an occasion; but they utterly deny'd, with many protestations, that ever there, the which they were thus parting, the poor Woman heard her Husband voice, and thereupon perhaps too much warm'd with Jealousie, rush'd into the House; where alas the was no sooner enter'd, but (as we are inform'd) a Gang of Pimp, Pettycoat-Pensioners, and such like Villains, fell upon and dragg'd her from one end of the House to another, some Beating, some Tearing, others Kicking and immodestly abusing where still as Breath, amongst em, partly by shorting, and partly (as we are further told) by beating her on the Head, Breast, and Belly, they sent her to her long Home, Eternity.

Now, what wofully hasten add to the Barbarity of the Action is, the unfortunate Woman was brought to Bed, that the little Infant lively sprung in its Mothers Womb several Hours after the Mothers Death, even this very Morning; as we are credibly inform'd. The Jury had not then pass'd their Verdict on her; But the whole disorderly Family were all secur'd in Prison, for a further Examination: more particularly we are inform'd her Husband is committed to Newgate.

A more Woful and Lamful Spectacle, than the Deceased is, never has mane Eyes Beheld; occasion'd as I suppose by the Occasion of her Condition.

Mrs Mary Stout's Case about the Appeal brought Commons against Mr Cooper touch: the murder of her daughter Sarah Stout

4f 115



MVSEVM BRITANNICVM

515. b 2
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# THE CASE OF Mrs. Mary Stout Widow.

IN *March* 1699. being within the ſpace of a Year after the ſuppoſed Murder of Mrs. *Sarah Stout*, a Writ of Appeal was ſued out of the High Court of *Chancery*, againſt *Spencer Cowper*, Eſq; *John Marſon*, *Ellis Stevens*, and *William Rogers*, Gent. in order for the Trial of them, at the Suit of one *Henry Stout*, Heir at Law to the Deceaſed, and the Appellant named in the Writ of Appeal, who at the time of Suing out ſuch Writ, was about the Age of Ten Years.

Mrs. *Stout*, the Mother of the deceaſed, after ſuch Appeal was ſued out, cauſed the ſame to be delivered to one Mr. *Boſtock Toller*, the Under-Sheriff for the County of *Hertford*, in order for his Apprehending of the Appellees mentioned in the ſaid Writ. And ſhe fearing, leſt he would be either Remiſs, or unmindful, in the due Execution thereof, ſome ſhort time after, ſhe ſent a Neighbour of hers to Mr. *Toller*, to know what he had done, or would do, with the Writ; whether he had Executed the ſame, or whether he would return the Parties were not to be found; which Meſſage was duely carried, with a particular account, That Mrs. *Mary Stout*, the Mother of the deceaſed, was the Perſon that ſent the ſame. To which Mr. *Toller* returned this anſwer, *Mrs.* Stout *is a very buſie, uneaſie Woman; but however, when the Writ is out, I will make ſuch Return thereof as the Law directs.*

Mrs. *Stout* having received ſuch an Anſwer, and expecting to have a Return of the Writ, according to Mr. *Toller*'s promiſe, on the 13th of *April* following, was in order thereto, and for the further deſigned Proſecution of the matter, duly admitted Guardian to the Appellant; and as ſuch, on the 15th of the ſame Month of *April*, being the firſt day of the then *Eaſter Term*, appeared Perſonally in the Court of King's Bench, in order to Arraign the Appellees, in caſe the Under-Sheriff ſhould have returned them taken.

Upon ſuch attendance of Mrs. *Stout*, Mr. *Toller* was frequently called, pending the whole time the Court ſate (the Writ being then Returnable) to make a Return of the Writ: But he made default, and inſtead thereof, Mr. *Marſon*, one of the Appellees appeared in Court, and prayed either to be Arraigned or Diſcharged: Tho' the Writ was not then, or ever ſince, ſeen or returned in Court; ſo that ſuch Mr. *Marſon*'s motion appearing only to be a Shew, or Bravado, no damage or advantage being to be ſuſtained or gained to him thereby; the ſame was rejected.

Upon the ſecond day of the ſame Term, the Court of King's Bench was moved on the behalf of Mrs. *Stout*, that a ſhort day might be appointed peremptorily for Mr. *Toller* to make his Return. But then (tho' Mr. *Marſon* knew of the Writ of Appeal's coming to Mr. *Toller*'s hand, as appears by his praying an Arraignment but the day before,) it was ſuggeſted in Court, That no Writ of Appeal was ever left

with Mr. *Toller*, againſt the Appellees: And upon ſuch Suggeſtion, Mrs. *Stout* then loſt the benefit of her Motion, and was forced the next day to get an Affidavit of the delivery of the Writ, which ſhe accordingly did; and thereupon ſhe moving again for a peremptory Return, then the Under-Sheriff's Receipt of the Writ of Appeal was granted, and thereupon a Rule of Court obtained to compel him to appear, and make a Return of the Writ; which Rule was ſerved, and thereupon Mr. *Toller* ſoon after attended, and by Affidavit informed the Court, That upon the 16th day of the ſame Month of *April*, (which was a day after the Return of the Writ, and three days after Mrs. *Mary Stout* was admitted Guardian to the Appellant) he delivered up the Writ into the Infant's Hand.

Upon which account given by Mr. *Toller*, the Court of King's Bench order'd him to be Examined upon Interrogatories, touching the delivery of the Writ; and accordingly Mrs. *Stout* the Guardian prepared the ſame, but could not without conſiderable Difficulty get him Examined, (being forced to be at the Charge of two or three Orders of Court, for that purpoſe, before he came.) At laſt his Examination was taken in and by which he owns the Receipt of the Writ of Appeal; And that he was informed, That Mrs. *Mary Stout*, the Mother of the deceaſed, proſecuted the ſaid Writ, that ſhe ſent the ſame to him; and that the Infant, the Appellant, was a perfect Stranger to him, when he delivered it into his hands: But then, to extenuate the matter on his own behalf, the Reaſons he alledges in his Examination for ſuch his delivery, are, That the Appellant came with the Mother, Uncle, Aunt, and one Mr. *Wodford*, an old Acquaintance of his, for the Writ; and that Mr. *Wodford* informed him of the Reality of the Appellant, and his Relations; and delivered him a Note under the Hand of *William Cowper*, Eſq; purporting the ſame, That the Infant was the Plaintiff in the Appeal; that one of the Women was his Mother, and that the other Man and Woman his Uncle and Aunt; which, together with the ready Anſwers they gave to ſuch Queſtions as Mr. *Toller* asked them, induced him to believe them to be the real Parties; as in his Examination he ſets forth.

Mr. *Toller* ſays further, That on the 26th of the ſame Month of *April*, he deſired the Infant, his Mother, Uncle and Aunt, to deliver him back the Writ; but they declared, That the Infant with advice had burnt the ſame.

Mr. *Toller*, in his Examination, gives this account, That ſome ſhort time before his Receipt of the Writ, he received a Letter from Mr. *William Cowper*, to know whether any Writ of Appeal was come to his hands, againſt Mr. *Spencer Cowper*: To which he anſwer'd, there was none: That ſome ſhort time after ſuch Writ was come to his hands, he received another Letter from Mr. *William Cowper*, to the ſame effect of the former: To which Mr. *Toller* anſwered, There was; and ſent him the Contents of the ſaid Writ. That after ſuch Writ came to his hands, Mr. *Spencer Cowper* ſent him a Letter, to know whether he had received any Writ againſt him: To which Mr. *Toller* informed him, He had. So that by Mr. *Toller*'s own Examination, a perfect Correſpondence is owned; and an Intelligence from time to time, and from one party to another, is given.

That upon the laſt day of the ſame Term, Mr. *Toller*'s Examination was Reported to the Court of King's Bench; who, upon the hearing the ſame, were of opinion, That he was guilty of an high Miſdemeanour, and was in Contempt of that Court; and thereupon was committed to the *Marſhalſea*, and fined 200 Marks.

That Mrs. *Stout* having received no ſatisfaction for the Blood of her Daughter, by the Under-Sheriff's being ſo fined, did petition the now Lord Keeper for a New Writ; the time being elapſed then for the Suing out of another of Courſe; at which time alſo, there was a croſs Petition preferr'd in the Infant's Name, praying, That no new Writ of Appeal ſhould be Sued out in his Name. And the Subject Matter of both Petitions being debated before the now Lord Keeper, the Maſter of the Rolls, the late Lord Chief Juſtice *Treby*, the Lord Chief Baron *Ward*, and Mr. Juſtice *Powel*; upon ſuch Debate, it not then appearing by any poſitive Proof, that the Appellees in the Writ, nor any of them, were privy to the Deſtruction of the Writ: It was therefore thought hardly Reaſonable, that a New Writ ſhould be granted; which was a great Cauſe of Mrs. *Stout*'s Petition being rejected.

Now Mrs. *Stout*'s Petition was grounded purely upon another bottom, (ſhe not imagining that ſuch an Objection would have been ſtarted.) For ſhe was adviſed, that if Juſtice had been obſtructed, whether it had been by accident, or deſign, in either

Caſe

Caſe a ſuitable Remedy might have been found: As, ſuppoſing the Writ of Appeal had been accidentally burnt when in the Sheriff's Cuſtody, as it really was, when it was out, in reſpect to have a Diſcovery of Truth, the Court, which firſt gave the Writ (ſhe was adviſed by Counſel learned in the Law) could ſupply the loſs of it.

Had ſhe imagined, that all the Appellees would have ſo much as inſtanced their total Ignorance, as to the Deſtruction of the Writ, ſhe could have much better prepared her ſelf to have given them an Anſwer—She could have ſet forth how the Infant, his Mother, and the Appellees Atorney, went in a Coach with Four Horſes, to the Under-Sheriff at *Hertford*, and there took the Writ of Appeal from him, and from thence brought it to *London*: She could have informed the Court of a more particular Intelligence, lately confirmed, concerning the Deſtruction of the Writ, by whoſe Order, and at whoſe Chamber, the ſame was burnt: Which matters, if yet Examined, will ſufficiently Evince, whether the Appellees, or ſome one of them, were privy or not to the Deſtruction of the Writ.

There was an Objection againſt Mrs. *Stout*'s Petition, That the Writ of Appeal was never well Sued out, (the Infant nor his Mother, not knowing of the ſame till afterwards.) But to that, beſides the Proofs Mrs. *Stout* could have given to the contrary, ſhe was and is ſtill adviſed, That her being duly admitted Guardian, by the free Conſent of the Infant, (tho' ſubſequent in time to the Suing out of the Writ) the ſame in Law is very Authentick, and makes the ſame well ſued out. And it is preſumed, that no Perſon will ſay, That the Lord Keeper, and the other Judges did all agree to the contrary, upon debate of the Matters before them.

It was mightily inſiſted upon by the Counſel for the Appellees, at the hearing of both Petitions, as if Mrs. *Stout* ſhould cauſe her ſelf to be admitted Guardian to the Infant, only to protect her Eſtate from the Infant, and that without the privity of the Infants Mother, or any of his Relations: But (beſides the very Admittance it ſelf, which is purely for Proſecuting the Appeal, and for nothing elſe) Mrs. *Stout* was always ready to diſcover the Title of her Eſtate; and never but declared, That the Infant had no right thereto. And as to the Infant's Mother's not knowing of Mrs. *Stout*'s Deſigns, it is very eaſily anſwered, for it is not only Sworn, and the Affidavits filed in the *Kings-Bench*, That Mrs. *Stout* wrote to the Infant's Mother, what her Deſigns were: But alſo, a particular Account is in thoſe Affidavits ſet forth, How willing the Infant's Mother was to ſend her Son to Mrs. *Stout*, Ordering one of his Uncles to carry him to her, for Mrs. *Stout* to do with him as her Occaſions required; and withal directing ſuch Uncle to deliver her Son to Mrs. *Stout*, and to none but her, and to do according to her Directions.

It hath commonly been Reported, as if the Proſecution in this Appeal, hath been purely Vexatious, Begun by a Body of *Quakers*, and Eſpouſed by a Faction at *Hertford*, againſt Mr. *Cowper*'s Intereſt. But whoever the Fomenters, or Spreaders abroad of ſuch Reports are, they would do well to conſider, if it were their own Caſe, to have an only Child murthered, and her Reputation rendered Infamous to Poſterity, whether Nature and Duty would not oblige them to uſe all means to make a Diſcovery of the Cauſe thereof? And whether they would not think it hard, to have their own Endeavours reflected on, and their utmoſt Diligence accounted to be the Cauſe of a Party?

It hath alſo been Reported, and perhaps by ſome of the Appellees may be objected, That the very Method, in the Proceſs of this Appeal, Hath been Malicious, in delaying the Suing out of the Writ, until the time was almoſt Elapſed, thereby to keep the Appellees in an Uneaſie Suſpence. But in Anſwer to that, 'tis confeſſed, That it was much longer before the Writ of Appeal was Sued out, than was deſired or expected; becauſe it was near half a Year before Mrs. *Stout* could find out (tho' all that while ſhe made a diligent Search) the proper Perſon to make an Appellant; and after ſhe had, ſhe was forced to Examine moſt of the Regiſters in *London* and *Southwark*, to make out his Pedigree; and which as ſoon as ſhe had done, the very next day ſhe cauſed the Writ of Appeal to be Sued out; ſo that it was her Miſ-fortune, and not her Malice, in being under the neceſſity of ſo long a delay.

It is commonly urged, as a ſtrong Argument, againſt a ſecond Trial of the Appellees, That there is no new Evidence, that Mrs. *Stout* hath againſt them, but ſuch

ſuch Perſons, whoever they are, not only Aſſert, what they are totally Ignorant of, but alſo Conclude, that Mrs. *Stout* takes a great deal of Pleaſure (eſpecially now, in her Old Age) in being in a conſtant Fatigue, and conſiderable Expence, purely to be rendred Ridiculous to the World, and Uneaſie to her Self. in the freſh and daily Renewals of her great Loſs. In Anſwer to which, She is ſufficiently Aſſured, That She Goes and Acts by other Principles and Deſigns; and that ſhe hath more Material Evidence than ever yet was made Publick; and that She believes the Appellees (tho' they pretend their Innocency is fenced providentially with ſuch Circumſtances, as that they need not fear) do not care to come to the Teſt; or elſe, Why ſhould there be ſo vigorous an Oppoſition againſt ſo plain an Act of Juſtice, if there was no Matter of Fact, that could be proved againſt them, nor no concurring Circumſtances, that would any way affect them (as they ſeem to Inſinuate?) It would have Redounded much more to their Honour and Reputation, and have wiped off all Occaſion of Reproach, if (inſtead of ſo mean an undermining of Juſtice, in the Deſtruction of the Writ of Appeal) they had undergone a ſecond Trial; It being impoſſible (according to their own Aſſertions) for them to Miſcarry, or be found Guilty; All Perſons muſt certainly know, That it would be no Prudence in Mrs. *Stout*, to Divulge her Evidence before a Trial; and if She doth but act Prudently, for any therefore to alledge, She hath no Proof, is purely to ſpeak at Random and at a Venture, and ought to be regarded accordingly.

*FINIS.*

515. l. 2.
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A

# DIALOGUE

Between a Quaker and his Neighbour in HERTFORD,
about the MURDER of

# Mrs. Sarah Stout.

*Quaker.* THee art an early man to day, methinks Neighbour, to have been abroad, and coming back already.

*Neighb.* I must be so now; I have been to see my folks at work in the field; for he that will have business go forward, must be both at the beginning and end of it himself, or else it wo'nt do: And the Weather of late as been pretty catching, which makes me willing to improve my time s well as I can; and according to the antient Proverb, *To make Hay while the Sun shines.*

*Qua.* Thou art in the right on't, and I commend thee for thy industry: well, will come in, and smoke a pipe of Tobacco?

*Neigh.* I don't care if I do; for now I have set my folks to work, I am a little at leisure; besides I have a mind to talk with you.

*Qua.* With all my heart, Neighbour: Well, what is it thou wouldst talk with me about?

*Neigh.* About! Why, I wou'd ask you, What's the best news? for I know you must hear it, if there be any, your business calls you so much abroad.

*Qua.* Truly Neighbour, as to news, I know none; for tho' I can't, as thee says, but hear a great deal, yet I seldom regard it; for, there is scarce one report in twenty, that is to be credited.

*Neigh.* Nay, that's true enough: But what I intended was, What do you hear about the Tryal of the Gentlemen for the murder of Mrs. *Sarah Stout*? It makes a great noise in the world, I assure you: I suppose you have heard it.

*Qua.* No, I didn't; for I was out of Town then, or else I believe I shou'd. But I have read the Printed Account of it, which I suppose is truth, because it is attested by the Judge.

*Neigh.* Yes, so it is, for I have read the Book, and heard the Tryal from the beginning to the end. Well, since you have read it, what do you say to that Tryal?

*Qua.* Why, I say, the persons indicted for that Murder, were every one acquitted.

*Neigh.* That's true enough every body knows: But do you think they were acquitted fairly, or not?

*Qua.* 'Tis none of my place to censure the proceedings of the King's Courts of Justice; I believe the King desires Justice may be impartially administred, and I believe to that end the King makes choice of the best Judges. But after all, to be plain with thee, I am of an Opinion *Sarah Stout* was murder'd.

*Neigh.* If she murder'd her self, she was murder'd; so that your words are equivocal: Do you think she was murder'd by the Gentlemen that were try'd for it?

*Qua.* Wou'dst have me to condemn those whom the Law has acquitted? Or, is't not possible she may be murder'd, and yet not murder'd by them? And as to her murdering her self, I believe nothing of it.

*Neigh.* That she was found dead in the water, that's plain; and if she did not throw her self in, she was thrown in by some body else: But there's no such thing appears, and therefore I believe she drowned her self.

*Qua.* What reason hast thee to think so?

*Neigh.* Reason enough: For first, That she was not murder'd for Money, appears plainly, because there was six Pounds found in her Pocket when she was taken up out of the water; and therefore it was not done by Thieves or Robbers; for they wou'd have taken away her Money at least, if they had not stript her too. Nor did it appear upon the Tryal, that Mr. *C.* had any Bonds or Morrgages of hers in his hands, by which he might make any advantage: Nor had he got her with Child, by which any shame might have been prevented. And therefore, since he cou'd have no interest in it, why shou'd it be suppos'd he did it at all? Nay, there had kindness past between 'em that day, and in all probability might have been more. We don't hear of any quarrel between 'em, that might give him any distaste, or provoke him to such a barbarous villany: And to think that a Gentleman should murder a young woman that had a kindness for him, meerly for murder's sake, appears to me a very unreasonable thing.

*Qua.* Thou seem'st to imply, I think, that *Sarah Stout* was murder'd by *S. C.* and *I* have already told thee, that *I* have nothing to say, either to him, or the others that were indicted for her murder, for the Law has acquitted them; or otherwise *I* cou'd easily answer all that thou hast said: *I* cou'd tell thee, That he might have an interest in her Death, tho' it did not appear in Court; that some men are so tenacious of receiving an affront, that many have been kill'd for giving it. Nay, the very kindnesses that some persons have done, has been the occasion of their death; and the refusing to do such kindnesses as have been desir'd of them, has procur'd the death of others: That there might be something desir'd of *Sarah*, that she was not willing to grant, is what might be, tho' she did not think it proper to make any one acquainted with it; and that such kindness being refus'd, might be a sufficient ground of revenge, to such persons as made no conscience of what they did, (for none but such persons cou'd be guilty of so barbarous a crime. Now it appears by the Tryal, that one of the persons indicted has pretended Love to her, which she refus'd; What if he had stomach'd that refusal of hers to that degree, that he was resolv'd to be reveng'd of her for it? Does not this appear rational enough? And, does not the discourse of the persons at the *Inn*, at the very time when either this murder was perpetrated, or very near it, seem to countenance this? Why else should one of them say, *Her business was done*; and, *that he wou'd pass his word, her courting dayes were over?* And, this to be spoken by pretended strangers, that very night she was murder'd, was enough to have made it suspitious to me: And to confute what thou hast asserted, that there cou'd be no interest in it; it being plain that there might be (*I* don't say there was) the interest of serving a friend, which is counted by some (tho' in as bad a cause as this) a piece of generosity.

*Neigh.* I confess what you urge, has more weight in it, than I at first imagin'd: But tho' *I* think this was sworn, yet it was afterwards confuted by several witnesses; which *I* think appears by the Tryal Printed at large.

*Qua.* Had that been done, it would have given great satisfaction both to me and several more, but all that ever I could find of it in the Printed Tryal (for I have already told thee *I* didn't hear it) is, that the persons charged with it, absolutely deny it; which no doubt they would do, had they been never so guilty. There was two witnesses positive to the very words, and against this, they have nothing to say, but that they positively deny it; and yet are forc'd to acknowledge, there was some discourse of *Sarah Stout*; but so far from what the witnesses depos'd, that it was not possible they should so mistake 'em. And thee may'st likewise observe, That the witnesses not only depos'd this, but that the trouble that was upon their spirits, by reason of these words, (after they had heard of *Sarah Stout*'s death) was so great, that they could not rest till they had reveal'd it: For *Martha Gurry* depos'd, *That she was so troubled in mind she could not rest, night nor day: and that she told her Husband, if he would not tell of it,* (that is, if he would not discover those suspicious words spoken by those persons in their house the night before *Sarah*'s death) *she would tell of it her self, for she was not able to live.* So that it appears to be only love to Truth and Justice, that put *Gurry* and his wife upon discovering these words, and not any malice or prejudice; for their interest lay on the contrary side: They might have expected those men to have been their guests again, had they not disclos'd this; which now they could not expect: And therefore *I* do not doubt at all, but what they depos'd was the truth. Which, *I* must tell thee, looks very suspiciously in my judgment.

*Neigh.* This does indeed bear a little hard upon 'em; but yet *I* think *I* have something to offer, that will take off the force of that you have said, and that is this, That these Gentlemen had several persons of very good worth and quality appear'd in their behalf, and declar'd 'em to be men of an unspotted Reputation: One says, *He believes five thousand pounds wou'd not tempt one of 'em to do such a fact.* Another says, *He knew him ever since he was two years old, and never knew him but a civiliz'd man, given to no debauchery.* Another says, *He has known him twenty years, that he has a general good character among his neighbours, for a man fair in his practice, an honest man, and a man of a good conversation.* And then, as to another of 'em, a person of quality testifies, not only that *He was always reckon'd an honest man in his practice, but has the general character of a good natur'd man; one well provided for by his father, has a good estate, and is in a good place, and in good practice*; and consequently not like to do such an action. Another person of quality testifies, *He has always behav'd himself well, and has the character of an honest gentleman.* Another testifies both as to him and Mr. *M.* that *He believes they would not have been guilty of such an ill thing, to have gain'd the County.* And as to the other, several Gentlemen give the like character of him, and say, *They believe money could not tempt him to do any act of that kind.* But what *I* have further to offer, is that which *I* think is more convincing; and that is, That it is not at all probable that Gentlemen that were not either mad, or drunk, or both, should be so foolish and imprudent, as to discourse publickly in the presence of several persons, after that rate that is sworn against these, if they either had, or design'd to have a hand in such a thing: Cou'd they possibly abandon themselves to so much inconsideration, as not to think that such discourses might be remembred to their prejudice, and tend to the discovery of themselves as the murderers? These must be granted to be sensible men, well skill'd in the Law; and therefore well knew the danger such discourses would expose them to; and knowing all this, it would argue them to be guilty of the highest degree of madness and folly, to talk at that rate.

*Qua.* I have already told thee, and do so again, That I have nothing to say against these men; the Law has acquitted them, and therefore I have nothing to do to condemn them; I only tell thee my private sentiments, and what *I* urge, is more for discourse sake, than any thing else: Tho', to be plain with thee, *I* see no such great matter in what thou hast alledg'd in their behalf: And, had *I* been of Council for the K. *I* would have answer'd thee thus: *I* have nothing to object against all that these persons have testified in behalf of the prisoners; *I* am willing to grant that they speak according to their knowledge, and what they think: But what does all that they have said amount to more than this, That the prisoners have always carried it very fair to the world, and when they committed this fact for which they are indicted, they did not acquaint these persons with it? But there's none of all these Gentlemen can say they are not guilty of this fact. 'Tis true, they don't believe it, and they believe money would not tempt 'em to it; no, nor tho' they might gain the whole County: But, what then? it does not follow for all that, but that they might do it: There might be other motives to tempt them to it, besides that of money. There are men in the world that will post-pone all other considerations to that of serving their friend: And probably that might be the case here: Suppose a person courts one for her fortune; he receives a denial; upon that medi-

r voyage; he tells his thoughts to two or three Friends, and they promise to assist him, out of a principle of generosity (as they think) to serve their friend, which no money could have oblig'd 'em to do; *I* have heard of such things that have been done; and wherein even greater hazards have been run to serve a friend, and why not in this case? There is a famous instance of this in K. *Charles* the Second's time: One *Mahon* was accus'd of having a hand in a Plot against the Government, and was order'd to be carried down to *York*, in order to be try'd, and committed to the charge of eight Life-guard men to carry him down; but one *Blood*, and three of his companions, who had a particular kindness for *Mahon*, went after the Life-guard men, kill'd two or three of them, and rescued the prisoner. Here the hazard was much greater than in the case before us, (which might be much easier effected, and better concealed) and yet the thing was undertaken and effected, out of love to their friend. And, as to what thee think'st is so unanswerable, to wit, That unless they were mad, or drunk, or both, they would never have expos'd themselves by discoursing as they did so publickly; to that I have a sufficient answer; First, That they did so discourse, there is the positive testimony of two persons upon Oath. Secondly, One of the prisoners himself does in fact acknowledge it; for he says, in page 40 of the printed Tryal, *Possibly I might say those words, My friend may be rid with her*; but softens it with saying, *It was in jocular conversation.* But Thirdly, Notwithstanding their denying it, and making their publick discourse thus, a plea for their innocence (which by the way, might be one reason of their talking so publickly) yet the Judge in his charge to the Jury, seems not to make the least question of the words being spoken, as *I* think indeed he had no reason, and tells the Jury, *They talked at a strange rate*; and that *they were very strange expressions*; and so leaves it to the Jury, which was all that he could do. So that *I* do not find, that those words reported by *Garry*, or his wife, to wit; *That her business was done, and there was an end of her courting days.* And, *That a friend of theirs had ever such to do this time.* Were at all invalidated: And therefore thee and I must own, that (as the Judge said) *They were very strange expressions*, consider'd the time when they were spoken.

Neigh. But does it not plainly appear that she was melancholly? And, might she not in a melancholly humour, being under some great temptation, drown herself in the water, and so be drowned?

*Qua.* I cannot deny indeed, but that such a thing might be; but there is a great deal of difference between What might be, and What was? For no man can say how it was, or did: It did not appear she was melancholly, by her dining with Mr. C. to dinner; nor inviting him afterwards to supper; nor by the care she took to have a fire in his chamber, and his bed well warm'd. These did not appear to be the actions of a melancholly or distracted person. And as to her being drowned, that neither is not so evident; for it appears that there was no water in her body; and it is a common opinion, that when persons are thrown into the water dead, they won't sink, as it seems she did not. But seeing there are such diversities of opinions in that case, I will not be positive therein.

Neigh. But I think nothing could be made out more clearly, than that Mrs. *Sarah* was in love with Mr. C. and would willingly have consented, and have join with him that night: but he refusing to comply with her, and going to his lodging at Mr. *Bacefoot's*, she went and drowned her self. So that here is not only her melancholly proved, but the cause of it likewise: And I have heard, that love melancholly is the most dangerous.

*Qua.* I do not see this so clearly made out, as thou seemest to imagine. *Sarah* was a young woman, and of a good fortune; and if she had not to have bid any of our Friends, there were Husbands enough to be had, without courting a married man: And yet, ev'n if she had been so, Let her self, as to have done that, *I* have heard that nature has had a greater kindness for the female Sex, than to let any of 'em make away themselves for want of giving 'em a nights lodging. And, to do him justice, it does not appear to me, that he treated her at that rate as to cause her to despair of obtaining such a kindness from him: *If* indeed he had told her (as *I* think if the case had been so, he might very well have done) that he could not but admire at her impudence to desire such a thing of him; that she made her self thereby a shame to her Sex, a Scandal to her Profession, and a reproach to her Relations; that there were other men enough to satisfy her Lust; that for his own part, he was a married man, and upon that account, could not possibly gratify her inclinations. Or, if he had said to her, as another good man did, on the like occasion, *How shall I do this great wickedness, and sin against God?* And so had exhorted her to mortify those unruly affections, that could not but issue in her eternal ruin, if her desires should be gratified; and that however they might think to conceal it from the eye of the World, yet that their wickedness would be open to the omniscient eye of the Divine Being. Had he indeed taken this method, *Sarah* might have had some reason to despair of obtaining her ends of him, (if any such were the case). But for ought appears to me, the case was quite otherwise, and *Sarah* had more reason to hope, than to despair, by the Topicks that were said to her that night: For, the Objections were only That it was an accident that had obliged him to take up his lodgings in another place, That the family where he was so obliged to lye, was full up for him; That his staying at her house under these circumstances, would in probability, produce the censure of the Town and Country; That the fire (only) he could not say, whatever his inclination otherwise might be, now appear to these: Whether there be any thing in these Objections that might cause her to despair, if she had any such desires of obtaining them: That was so positive a denyal, no mention of the unlawfulness of it; but only, there happened an accident which rendered it not so convenient that it should be, as it might be another. Now, had *Sarah* been all that she was said to be represented, what occasion had she to despair upon such a denyal? For my part, according to my opinion of persons, I do not. And therefore, if she did make away her self (which I can by no means think) out of a despair of not obtaining what she desir'd of him; I must do the man that justice (as I have already told thee) to declare, That in my opinion he was no occasion of it.

Neigh. But since you believe that the Gentleman gave her no occasion to despair of obtaining her ends from him; and consequently as she had no reason to make away her self, which you believe for not; I say then, what reason can you have to think, that he should murder her, who, as you suppose, gave her so much hopes of obtaining her desires another time?

*Qua.* I know not what reason thee hast to ask me such a question, for I never said that I thought he murder'd her, nor any other of the persons indicted for it. I do indeed believe she did not murder her self because *I* see no reason *I* have to think so; and *I* have shew'd thee that those reasons alledged, are not sufficient to cause me to change my opinion. And *I* affirm there are some circumstances relating to the persons indicted, that to me look very suspitious. There is one thing that I think would give a great deal of light into the business, which *I* indeed wonder'd was never enquir'd into, neither by the Judge, the King's Council, nor the Grand Jury: But yet when *I* consider how long that Tryal lasted, and what great variety of Evidence there was, it is no wonder at all that something might be omitted; but that which *I* intended was this, Thee may'st remember, (for whom it seemed was at the Tryal) that *Sarah Walker* deposes, That when she went up stairs, to warm the bed, she left her mistriss and *S. C.* in the room together; and about a quarter of an hour after, she heard the door shut, and when she came down, there was neither of them in the house. Now, methinks it would have been necessary to have enquir'd, Whether *Sarah* went out with him; and if so, how far, and where they parted? For *Sarah Walker* says nothing of hearing the door shut, but once; and then she thought he was going with his Letter. *I* think a fuller account of his leaving her, might have given much more light into the matter. But being omitted at the Tryal, *I* only mention this, as my particular thoughts. However *I* cannot be satisfy'd at all about the Tryal, more especially since *I* have read the *Hertford* Letter newly come out; at the latter end of which, the Author, after having Learnedly handled the point, closes with his sentiments of her death, and two strange remarks in the Tryal. *viz.*

*If* this Gentlewoman was not Drowned, as the Doctors and Surgeons for the Prisoners seem to insinuate, the Query then will be, How she came to her End? With submission to better Judgments, *I* shall here offer my private Sentiments concerning it: *I* am inducted to believe, she was knocked down with a Blow on her left Ear, from the large Settlement of Blood there, which, as Mrs. *Kimpson* Swears, was as much as her Hand could cover, and more; after she was fell'd to the Ground by the Blow, it is probable, with the Gripe of a strong Hand, she was Throtled, from the Stagnation of Blood on both sides of her Neck, under her Ears, which Mr. *John Dimsdale* Jun. Swears there was; and from the Settlement of Blood on her Breast, *I* am inclined to believe, That the Person that Throtled her, to support his Hand, that he might Gripe the stronger, rested his Arm on her Breast, which occasioned the Suffocation there. *His remarks are*, How Mr. *Stephens* was taken with a strange Fit, just after the Petty-Jury went out, which disturbed the whole Court; and how a *Wine Cooper* in *Southwark*, who came down as an Evidence for the Prisoners, fell into a sort of Distraction; and all the time of the Tryal was unruly discomposed in his Mind, so that he was fain to be tyed in Bed, yet would often ask how the Tryal went, and whether they were like to be cleared; and would often tell the People about him, that he had done a very bad thing, but would not confess what, tho' often urged to it.

Neigh. The Tryal lasted many hours, and many Witnesses were examined; and both Judge and Jury were so fatigu'd with the tediousness thereof, that it was impossible to think of every thing. But it did appear plainly, tho her Body had no violence offer'd to it; that it sunk in the water as low as the Stakes would give it leave; that Mr. *C——y* went immediately out of the house to the *Glove* and *Dolphin*, and from thence to his own lodgings; from whence he went out no more that night: And, by comparing all what the Witnesses said, as to point of time, it was impossible he should do it; and what was impossible to be done, we may be sure was not done: So that *I* think the Jury brought in a very honest Verdict, especially as to him. As to the other Gentlemen, they appear all to be of fair reputations, and *I* could heartily wish, no such words had been spoken; and then *I* think, that they neither could not have been under the least suspition of guilt, tho' *I* am still of the mind they are all innocent.

*Qua.* For my part, *I* do not accuse 'em; and for their own sakes wish they may be so. But tho' they be all as truly innocent as the has pronounc'd them; why may not *Sarah* have been murdered by some other persons, and from some other motives that we know nothing of? For she had not without reason, by her sober and blameless conversation, acquir'd the reputation of a vertuous and modest young woman from our whole Town; and *I* appeal to thee, whether ever thou sawest any one action, by which she might forfeit it; or that might lay any imputation upon her? And not only accounted vertuous, but prov'd she dy'd so by the following Certificate.

*Hertford. April*, 28. 1699.

WE *whose Names are here under-written, having examined the Body of Mrs.* Sarah Stout, *Deceased, do find the* Uterus *perfectly Free and Empty, and of the natural Figure and Magnitude, as usually in Virgins. We found no* Water *in the* Stomach, Intestines, Abdomen, Lungs *or* Cavity *of the* Thorax.

*John Dimsdale, Sen.* *John Dimsdale, Jun.* *Samuel Camlin.*
*Robert Dimsdale.* *William Coatsworth.* *Daniel Phillips.*

Neigh. For my part, *I* must do her memory that justice, however she came by her death, as to declare *I* never knew her guilty of any unbecoming action, though *I* have known her from her child-hood: She was not indeed so brisk and airy as other young Women are; but that *I* always attributed to her being one of your opinion.

*Qua.* Well, Neighbour, *I* have told thee my Sentiments of it: And tho *I* neither do, nor can accuse any yet *I* believe she never made away with her self: But by what means she came by her Death, we must leave to Him, who in His due time, will bring to Light all the hidden Works of Darkness; with every secret thing, whether it be Good, or whether it be Evil.

Printed for the Author, and Sold by the Booksellers of *London* and *Westminster*. 1699.

# AN Answer to the Hertford Letter; IN A DIALOGUE BETWEEN A Quaker and his Neighbour, Concerning the MURTHER of Mrs. Sarah Stout.

*Quaker.* THee art an early man to day, methinks Neighbour, to have been abroad, and are coming back already.

Neighb. I must be so now; I have been to see my folks at work in the field; for he that will have business go forward, must be both at the begining and end of it himself, or else it will wont do; And the Weather of late hath been pretty catching, which makes me willing to improve my time as well as I can; and according to the antient Proverb, *To make Hay while the Sun shines.*

*Qua.* Thou art in the right on't, and I commend thee for thy industry: Well, wilt come in, and smoak a pipe of Tobacco?

Neigh. I don't care if I do; for now *I* have set my folks to work, I am a little at leisure; besides *I* have a mind to talk with you.

*Qua.* With all my heart, Neighbour: Well, what is it thou wouldst talk with me about?

Neigh. About? Why, *I* would ask you, What's the best news? for I know you must hear it, if there be any, your business calls you so much abroad.

*Qua.* Why truly Neighbour, as to news, I know none, for tho' I can't, as thee says, but here a great deal, yet I seldom regard it much, for there is scarce one in twenty, that is to be credited.

Neigh. Nay, that's true enough: But what I intended was, What do you hear about the Tryal of the Gentleman for the Murther of Mrs. *Sarah Stout*? It makes a great noise in the world, I assure you: I suppose you have heard it.

*Qua.* No, *I* didn't, for I was out of Town then, or else *I* believe *I* shou'd. But *I* have read the Printed Account of it, which *I* suppose is truth, because it is attested by the Judge.

Neigh. Yes, so it is, for I have read the Book, and heard the Tryal from the beginning to the end. Well, since you have read it, what do you say to that Tryal?

*Qua.* Why, *I* say, the persons Indicted for that Murther, were every one acquitted.

Neigh. That's true enough every body knows: But do you think they were acquitted fairly, or not?

*Qua.* 'Tis none of my place to censure the proceedings of the King's Courts of Justice; *I* believe the King desires Justice may be impartially administred, and *I* believe to that end the King makes choice of the best Judges. But after all, to be plain with thee, I am of an Opinion *Sarah Stout* was Murther'd.

Neigh. If she *Murther'd* herself, she was Murther'd; so that your words are equivocal: Do you think she was Murther'd by the Gentlemen that were Try'd for it?

*Qua.* Wouldst have me to condemn those whom the Law has acquitted? Or, is't not possible she may be Murther'd, and yet not Murther'd by them? And as to her Murthering herself, *I* belive nothing of it.

Neigh. That she was found dead in the water, that's plain; & if she did not throw herself in, she was thrown in by some body else: But there's no such thing appears, and therefore *I* believe she Drowned herself.

*Qua.* What reason hath thee to think so?

Neigh. Reason enough: For first, That she was not Murder'd for Money, appears plainly, because there was six Pounds found in her Pocket when she was taken up out of the water; and therefore it was not don by Thieves or Robbers, for they wou'd have taken away her Money at last, if they had not stript her too. Nor did it appear upon the Tryal, that Mr. C. had any Bonds or Mortgages of hers in his hands, by which he might make any Advantage: Nor had he got her with Child, by which any shame might have been prevented. And therefore, since he could no interest in it, why should it suppos'd he did at all? Nay, there had kindness past between'm that day, and in all probability might have been more. We don't hear of any quarrel between 'em, that might give him any disdain, or provoke him to such a barbarous villany: And to think that a Gentleman should Murther a young Woman that had a kindness for him, merely for Murther's sake, apperrs to me a very unreasonable thing.

*Qua. Thou seem'st to imply, I think, that Sarah Stout was murder'd by S. C. and I have already told thee, that I have nothing to say either to him, or the others that were indicted for her Murder, for the Law has acquitted them, or otherwise I could easily answer all that thou hast said. I could tell thee, That he might have an interest in her death, tho' it did not appear in Court, that some men are so tenacious in receiving an affront, that many have been killed for giveing it. Nay, the very kindnesses that some persons have done, has been the occasion of their Death; and the refusing to do such kindnesses as have been desired of them, has procur'd the death of others: That there might be something desir'd of Sarah, that she was not willing to grant, is what might be, tho' she did not think it proper to make any one acquainted with it; and that such kindness being refus'd, might be a sufficient ground of revenge, to such persons as made no conscience of what they did, (for none but such persons could be guilty of so barbarous a Crime. Now it appears by the Tryal, that one of the persons indicted, had pretended Love to her, which she refus'd; what if he had flomach'd that refusal of hers to that degree, that he was resolv'd to be revenge'd of her for it? Does not this appear ratio and probable? And, does not the discourse of the Persons at the Inn, at the very time when either this murder was perpetrated, or very near it, seem to countenance this? Why else should one of them say, Her Business was done, and, that he would pass his word her Courting days were over? And, this to be spoken by pretended Strangers, that very Night she was murther'd, was enough to have made it suspicious to me: And to confute what thou hast asserted, that there could be no interest in it; it brings plain that there might be (I don't say there was) the interest of serving a Friend, which is counted by some (tho in an bad a Cause as this) a piece of generosity.*

*Neigh.* I confess what you urge has more weight in it, than I at first imagin'd: But tho' I think this was sworn, yet it was afterwards confuted by several Witnesses; which I think appears by the Tryal Printed at large.

*Qua. Had that been done, it would have given great satisfaction both to me, and several more, but all that ever I could find of it in the Printed Tryal (for I have already told thee I did not hear it) is that the Persons charged with it, absolutely deny it; which no doubt they would do, had they been never so guilty. There was two Witnesses positive to the very Words, and against this, they have nothing to say, but that they positively deny it; and yet are forc'd to acknowledge, there was some discourse of* Sarah Stout; *but so far from what the Witnesses deposed, that it was not possible they should so mistake 'em. And thou may'st likewise observe, That the Witnesses not only deposed this, but that the trouble that was upon their Spirits, by reason of these words, (after they had heard of* Sarah Stout's *Death) was so great, that they could not rest till they had reveal'd it: For* Martha Gurry *depose, That she was so troubled in Mind she could not rest Night nor Day: And that she told her Husband, if he would not tell of it, (that is, if he would not discover those suspicious Words spoken by those persons in their House the Night before* Sarah's *Death) she would tell of it her self, for she was not able to live. So that it appears to be only love to Truth and Justice, that put* Gurry *and his Wife upon discovering these Words, and not any Malice or Prejudice; for their Interest lay on the contrary side: They might have expected those men to have been their Friends again, had they not discover'd it; which they could not expect: And therefore I do not doubt at all, but what they deposed was the truth. Watch, I must tell thee, looks very suspiciously in thy Judgment.*

*Neigh.* This does indeed bear a little hard upon 'em; but yet I think I have something to offer, that will take off the force of it. A very good worth and quality appear'd in their behalf, and declar'd 'em to be men of an unspotted Reputation; One says, *He*

[illegible] Debauchery [illegible] Rudeness [illegible] Ill-Manners [illegible] Ill-Nature [illegible] Quarrelsome [illegible] Debauch'd [illegible] Drunkard [illegible] Swearer [illegible] Blasphemer [illegible] Lewdness [illegible] Whoremaster [illegible] Adulterer [illegible] Fornicator [illegible] Cheat [illegible] Liar [illegible] Slanderer [illegible] Backbiter [illegible] Tale-bearer [illegible] Whisperer [illegible] Talkative [illegible] Busie-body [illegible] Meddler [illegible] Impertinent [illegible] Censorious [illegible] Unjust [illegible] Covetous [illegible] Oppressor [illegible] Extortioner [illegible] Unmerciful [illegible] Hard-hearted [illegible] Proud [illegible] Haughty [illegible] Scornful [illegible] Envious [illegible] Revengeful [illegible] Implacable [illegible] Malicious [illegible] Uncharitable [illegible] Unmerciful [illegible] Hypocrite [illegible] Dissembler [illegible] Flatterer [illegible] Unthankful [illegible] Disobedient [illegible] Undutiful [illegible] Unnatural [illegible] Disloyal [illegible] Unfaithful [illegible] Perfidious [illegible] Traytor [illegible] Rebellious [illegible] Seditious [illegible] Factious [illegible] Schismatical [illegible] Heretical [illegible] Apostate [illegible] Atheistical [illegible] Irreligious [illegible] Impenitent [illegible] Hardned [illegible] Reprobate [illegible] Wicked [illegible] Vicious [illegible] Debauch'd [illegible] Lewd [illegible] Profligate [illegible] Abandoned [illegible] Graceless [illegible] Impious [illegible] Ungodly [illegible] Sinner [illegible] Transgressor [illegible] Offender [illegible] Criminal [illegible] Malefactor [illegible] Delinquent [illegible] Culprit [illegible] Convict [illegible] Condemned [illegible] Damned [illegible] Reprobate [illegible] Castaway [illegible] Devil [illegible] Child of the Devil [illegible] Enemy of God [illegible] Heir of Hell [illegible] Fuel for Fire [illegible] Prey for Devils [illegible] Tormented [illegible] Damned [illegible] Eternally [illegible] Eternally [illegible] Eternally

K. Middlesex. Sessions Old-Bailey. 575. L. 2. 143

# The PROCEEDINGS of the King's Commission of the Peace,

AND

Oyer and Terminer and Gaol-Delivery of Newgate, held for the CITY of London, and COUNTY of Middlesex, at Justice-Hall in the OLD-BAILEY.

On Friday, Saturday, Monday, Tuesday, Wednesday, and Thursday, being the 13, 14, 16, 17, 18, and 19th Days of December, 1699. And in the Tenth Year of his Majesty's Reign.

THE Sessions of Peace, and Oyer and Terminer, and Gaol-Delivery of Newgate, held at Justice-Hall in the Old Bailey, on Friday, Saturday, Monday, Tuesday, Wednesday, and Thursday, being the 13, 14, 16, 17, 18, and 19th Days of December, 1698. Before the Right Honourable Sir FRANCIS CHILD, Knight, Lord Mayor of the City of London, and Sir Salathiel Lovell, Kt. Recorder of the said City, with several others of His Majesty's Justices for the City of London, and County of Middlesex.

*The Jurors are as follow:*

| London Jury. | Middlesex Jury. |
|---|---|
| *Alexander Pollington.* | *Christopher Rednap.* |
| *Joseph Moorwood.* | *Thomas Moodey.* |
| *Jeremy Marlow.* | *Thomas Dunk.* |
| *Francis Yates.* | *Simon Smith.* |
| *Joseph Brandon.* | *John Smith.* |
| *Thomas King.* | *Michael Miles.* |
| *John Burton.* | *Thomas Barns.* |
| *James Brockden.* | *Peter Lee.* |
| *Jeremy Cole.* | *Joseph Devenish.* |
| *Roger Lacy.* | *Henry Bradbury.* |
| *John Dyer.* | *William Giles*, and |
| *John Meredeth.* | *Jonathan Burgoine.* |

*The* Proceedings were these.

**Thomas Rachey**, of the Parish of St. *Catherines Colemans*, in the Ward of *Aldgate*, was Indicted for Feloniously stealing a wooden Runlet, value 2 *s.* and twelve Gallons of Shery-Wine, the Goods of *Benjamin Dry*, on the 20th of *February* last. The Prosecutor said, that he had been Robbed at several times, and lost several quantities of Wines, but could not tell who took them. There was another Evidence that said, the Prisoner was a Watchman, and opened the Vault Door with a false Key, and went in and took the Goods, and desired him to help him up with it, which he did, which was afterwards taken upon him in *Northumberland-Alley* by the Constable. The Prisoner denied that he had any false Key; but did not deny but that he did desire to be helpt up with it upon his Shoulder. He could not call any to his Reputation, the Jury thereupon found him Guilty of Felony.

**William Bray**, of the Parish of St. *Olaves Hart-street*, was Indicted for Feloniously stealing a Gallon of Canary Wine, value 6 *s.* on the 21st of *January*, in the Ninth Year of his Majesty's Reign, the Goods of *Thomas Frier*: he was likewise a Watchman; but there was not sufficient Evidence to convict him, the Jury acquitted him.

**Grace Peirce**, of the Parish of St. *Peters Cornhill*, was Indicted for Feloniously stealing six Ells of Holland [illegible] value 10 *s.* on the 9th of *December* last, the Goods of *Lancelot Lee* the Elder, and *Lancelot Lee* the younger. The Evidence deposed that he was at Mr. *Lee*'s Shop buying some Linnen Cloath, the Prisoner came in, and cheapned some blew *Ditte*, and whilst they were busy together, the Prisoner took the Goods off the Counter, and put it under her Coats; with that he told Mr. *Lee*'s Man, that he saw the Woman take the Goods; but she mistrusting they would search her, drop'd it. The Prisoner denied the Fact, saying that it fell off the Counter; but the Evidence was plain against her; the Jury found her Guilty to the value of 10 *d.*

**Elizabeth Bedford**, of the Parish of St. *Andrews Holborn*, was Indicted for Feloniously stealing two Silver Spoons, value 12 *s.* two Gold Rings 13 *s.* a Knit Purse, with 17 *l.* 2 *s.* 6 *d.* in Monies numbred, the Goods of *Robert Samey*, on the 10th of *January* last: The Prosecutor declared, that he went in the Morning to *Smithfield-Market* to buy some Beasts, and having bought some, he came home to fetch some Money to pay for them; and going to unlock the Cup-board where the Money was, found it very hard to open; but looking, found his Money gone, and the Prisoner also; with that he made search after her, and found her at the Sign of the Hind in Shoe-Lane; where she denied, if he would not make a noise, she would tell him something of it; and told him, that she did not take it, but was consenting to it; that a young Man, who pretended Love to her, enticed her to it, who opened the Cup-board-door with a Case Knife, which she lent him; she likewise owned, that she pawned the Spoons, and had little else to say for her self; the Jury thereupon found her Guilty of Felony.

**Mary Francklyn**, of the Parish of St. *Andrews Undershaft*, was Indicted for Feloniously stealing a half hundred leaden-weight, value 7 *s.* the Goods of *Richard Wilkinson*, on the 2nd of *December* last. The Evidence was a Servant, who deposed, that the Prisoner came into the Yard, and took the weight, and put it in her Apron, which was taken upon her; the Prisoner said that she was hired by one *Smith*, who lived in the *Minories*, to carry it, but could not prove it; the Jury found her Guilty to the Value of 10 *d.*

**John Armstrong**, of the Parish of St. *Dunstans in the West*, was Indicted for Felony and Burglary, for Breaking the House of *John Norton*, on the 12th of *December* last, about two in the Night, and taking thence two Cloath-Coats, a Wastcoat, a pair of Breeches, and six Diaper Napkins, the Goods of *Thomas Coles*, who deposed, that his Door was lock'd with a Padlock, and his Goods were there when he went out. Some time after his Landlady came and told him, that his Door was broke open, and his Goods gone; with that he pursued after the Robber; and going down *Shoe-Lane* he overtook the Prisoner with the Goods upon him; who being taken said, that he Bought the Goods of a Man at St. *Andrew's-Church-wall*; the Prisoner likewise denied that he was ever in the House in all his Life. The Jury considering the matter, found him Guilty of Felony, and acquitted him of the Burglary.

**John Chalkley**, and **Elizabeth Clark**, alias **Chalkley**, of the Parish of St. *Peters Paulswharfe*, were Indicted for Feloniously stealing three Pewter Dishes, a pair of Tongs, a pair of Blankets, with two Feather Pillows, and divers other Goods of *Samuel Wheeler*, on the 25th of *March* last. The Prosecutor said that they were Lod-

gers in his House, and took the Goods, but the Prisoners denied the Fact, saying that they were wrongfully troubled by the Prosecutor for having Arrested him; which the Jury considering, Acquitted them both.

**Thomas Caveller,** of the Parish of St. *Dunstans* in the *West*, was Indicted for Felony and Burglary, for Breaking the Chambers of *Thomas Riggs*, Gent. in *Tanfield-Court* in the *Inner Temple*, on the 27th of *December* last, about six in the Afternoon, and taking thence a Stuff Morning Gown and Wast-coat, with two pair of Sheets, and divers other Goods: it appeared that he got to the Chamber, broke the Glass, and with a Knife cut the Ear of the Window, and got in, and bundled up the Goods, and put them out of the Door, and shut it again, and went out the same way he came in, but the Tiles falling off the House, he was discovered, and they cried out Thieves; with that the Prisoner ran down Stairs, and cried out Thieves, but would have made his escape, but was taken, and some of the Goods were found upon him; the Prisoner said that he came to ask for a Gentleman, but met with a Man upon the Stairs who gave him the things, but could not prove it, or call any to his Reputation; the Jury thereupon found him Guilty of Felony and Burglary.

**Joseph Sherrack,** of the Parish of St. *Mary Somerset*, in the Ward of *Queen-hithe*, was Indicted for Feloniously stealing Sixteen Ounces of Died Silk, the Goods of *Benjamin Jackson*, on the 20th of *May*, in the 9th Year of his Majesty's Reign, it did not appear that the Prisoner stole it; besides, he called divers People to his Reputation, who gave a very good Account of him, saying that he was wrongfully accused, the Jury thereupon Acquitted him.

**William Bolton,** of the Parish of St. *Giles* in the Fields, was Indicted for Feloniously Stealing a black Gelding from *James Staughton*, on the 26th of *December* last; it appeared that the Fact was committed at *Tooting* in the County of *Surry*, and not in the County of *Middlesex*; he was acquitted of this Indictment, and is to be Prosecuted at the next Assizes in *Surrey*.

**Ann Flogg,** of the Parish of St. *Margarets Westminster*, was Indicted for Feloniously stealing a Silver Tankard, a Salt, and two Gold Rings, the Goods of *Mary Martin*, Widow, on the second of *November* last, to which Indictment she pleaded Guilty.

**[illegible]——J——, James Pickett,** and **Mary Pettman,** all three of the Parish of St. *Giles* in the Fields, were Indicted for Felony and Burglary, for Breaking the House of *Edward Lawson*, on the 12th of *December* last, about three in the Night, and taking thence six Cloath Coats, a Silk Shagreen Wast-coat, a blew Wast-coat, twelve pair of Cloath Breeches, a Child's Coat, with divers other Goods. The Prosecutor said that his Shop was broke open, and his Goods gone, that he found some of his Goods in the Prisoners Shops; and the Child's Coat sold by *Pettman* to another Person. The Prisoners denied the Fact, saying, that they were Brokers, and that they Bought the Goods of one *Bradley*, who is since fled; and *Pettman* said, that she found it upon a Seller Door, early in the Morning. They called People to their Reputation, who gave a good Account of them, the Jury thereupon acquitted them.

**William Thomas,** of the Parish of St. *Martins* in the Fields, was Indicted for Feloniously stealing a Bundlet, value 10 *d.* and two Gallons of Brandy 20 *s.* the Goods of *Thomas Beech*, on the 10th of *January* last. The Prosecutor said, that he was standing at his Door at *Kensington*; the Prisoner came to him, and asked him, if the Man lived there that lived there formerly, with that he replied *yes*; then the Prisoner told him, that he came out of *Pembrook shire*, from his Sister-in-Law, and had a Token for him, a Vessel of Ale, a Barrel of Pickled Oysters, and a piece of Flannen; with that he desired him to walk in, which he did, and treated him with what was in the House; but it happened that some Granadeers were quarrelling at the Door, and he went to see what was the matter: in the mean time the Prisoner slipt into the Seller and took the Goods, and went his way, but being pursued, he was taken in *Hide Park*, with the Goods upon him: He had but little to say for himself, and could not call any to his Reputation; the Jury found him Guilty to the value of 10 *d.*

**Thomas Griffith,** of the Parish of St. *Mary Islington*, was Indicted for Feloniously stealing two Weather-Sheep, value 10 *s.* the Goods of *Thomas Willingham*, on the third of *December* last; the Evidence against him was not sufficient to convict him, he was acquitted.

**Herbert Herring,** of the Parish of *Stepney*, was Indicted for Feloniously Breaking the House of *Thomas Edge* in the Day-time, on the 19th of *December* last, and taking thence a Canvas Bag, and 22 *s.* the Monies of *Thomas Edge*, and 22 *l.* 12 *s.* the Monies of *Daniel Willet*, Gent. and a Gold Ring the Goods of *Thomas Peirce*. Mr. *Edge* declared, that the Prisoner came to his House, and called for a Pint of Drink, and whilst his back was turned, he took the Fire-fork, and put it under his Coat, went up Stairs, and broke open the Door, and took the Monies, and the Ring which was in the Window, and made his escape; upon which a Reward was offered for the taking of him; and accordingly the Beadle of St. *Martins* in the Fields took him, and sent for his Serjeant, he being a Soldier, who accordingly searched him, and found the Ring with four Guinea's and two Pistols, hid in one of his Shoes; his Serjeant likewise declared, that the Prisoner said, that he did not much value the Fact, for which he was committed, for that he had been burnt in the Hand before with a cold Iron, and knew how to come off well enough for this. The Prisoner upon his Tryal denied the Fact, and said that he did receive 17 Guinea's from a Gentleman, which was sent from his Sister, but could not prove it; he had been an Offender before, the Jury thereupon found him Guilty of the said Felony.

**Margaret Tayler,** of the Parish of St. *John Wapping*, was Indicted for Feloniously stealing two Pewter pint Pots, the Goods of *Robert Crossley*, on the 16 of *December* last, to which Indictment she pleaded Guilty.

**Mary Stafford,** of the Parish of St. *Giles* without *Cripplegate*, was Indicted for Feloniously stealing a pair of Holland Sheets, a Hood, and a Muff, the Goods of *John Campion*, on the 24th of *November* last, to which Indictment she pleaded Guilty.

**Joseph Day,** of the Parish of St. *Mildred Bread-street*, was Indicted for Feloniously stealing two yards of Frize Cloath, value 10 *s.* the Goods of *William Bramston*, on 10th of *December* last; the Evidence declared, that the Prisoner was seen to take it off the Stall, and goe his way; but being pursued he dropt it. The Prisoner denied the Fact, saying that he saw it lye upon the Ground, he took it up, but did not steal it. He could not call any to his Reputation, or way of Living, the Jury thereupon found him Guilty to the value of 10 *d.*

**Thomas Jones,** of the Parish of St. *Catherines Colemans*, was Indicted for Felony and Burglary, for Breaking the House of *John Paine*, on the 12th of *January* last, about Five in the Morning, and taking thence a Brass Porridge Pot, a Brass Ladle, and a pair of Leather Boots. The Evidence deposed, that they took the Prisoner in the Seller, and that he had removed the Goods to the top of the Stairs. The Prisoner did not deny but that he had removed the Goods, but said that he found the Seller door open, and so went in; the Jury considering the matter, found him Guilty of Felony only, and acquitted him of the Burglary.

**Elizabeth Floyd,** and **Jane Holloway,** of the Parish of St. *Buttolphs Bishops-gate*, was Indicted for Feloniously stealing seven Yards of Muslin Cloath, value 28 *s.* the Goods of *Henry Wingfeild*, on the 27th of *December* last; *Holloway* pleaded Guilty to the Indictment, and *Floyd* put her self upon her Tryal, which appeared, that they both came into the Shop, pretending to buy some strip'd Muslin; and that *Holloway* took it and gave it *Floyd*, who put it under her Petticoat. The Fact was plainly proved against *Floyd*, who could give no good account of her self; the Jury thereupon found her Guilty.

**Alice Hudson,** alias **Hall,** of the Parish of *Christ-Church*, was Indicted for Feloniously stealing 10 Yards of Ribbon, the Goods of *Mary Wilkins*, Spinster, on the Thirteenth of *December* last, to which Indictment she pleaded Guilty.

**Mary Phillips,** and **Elizabeth Moore,** both of the Parish of St. *Vedast*, *alias Fosters*, was Indicted for Feloniously stealing Nineteen Yards of Flowered Tabby, on the 19th of *December* last, the Goods of *Elizabeth Cooper*: The Prisoners were seen to come into *Pater-Noster-Row*, and being suspected to be Shop-lifters, they were dogged till they came into the Shop, where at first they pretended to buy some Silk for Hoods and Scarfs; but disliking that, they cheapned some Silk for Breeches; and whilst Mr. *Cooper's* Servant was busy in turning over the Silks, they took the piece of Silk, and put it under one of their Coats, and went their ways; but being pursued, they gave it to a third Person, who escaped with it; they had little to say for themselves; the Jury found them both Guilty.

**Elizabeth**

**Elizabeth Willis**, of the Parish of St. *Sepulchers*, was Indicted for Felony and Burglary, for Breaking the House of *John Morley*, on the 17th of *December* last, about seven in the Night, and taking thence a Cloath Coat, three Callico Frocks, a Velvet Cap, seven Callico Aprons, with divers other Goods. The Prosecutor said that his House was broke open in *Goose-Alley*, in *Seacole-Lane*, but pursuing the Robbers he took the Prisoner at the Ditch-side with some of his Goods, and some Picklock Keys amongst them. The Prisoner denied the Fact, and said that the Goods were given her in the Street, and called one *Rebecca Jones*, who had formerly been burnt in the Hand, who said, that she, and a Person, call'd, *Fit for the Devil*, and one *Susan Lewis*, were at the breaking the House; and that being pursued, she put the Goods into the Prisoners Lap, to save her own Bacon; but it appeared that the Prisoner was one of the Gang, and did receive them when the rest fled. The Jury therefore found her Guilty of Felony, and acquitted her of the Burglary.

**Susanna Lewis**, **Richard Jones**, **Hester Harwood**, and **Thomas Hilton**, of the Parish of St. *Brides*, were Indicted for Felony and Burglary, for Breaking the House of *Thomas Conde*, on the 6th of *December* last, and taking thence two Silk Gowns, a Callico Gown, a Silk Petticoat, with a Silver Fringe, a pair of Ruffles and divers other Goods. The Prosecutor said that his House, was broke open in *New-street*, and his Goods gone, but knew not who had them. *Rebecca Jones* declared that she was in the Robbery, and that *Lewis* and *Hilton* were with her, but they called Witnesses to prove that they were in another place at that time: she was minded to have favoured her Brother and *Harwood*, if she could; but he was seen by a Servant Maid that was going for Coles into the Celler, leaning upon a Post at the Door, at the time the Robbery was committed; but she staying longer then ordinary, heard him say, *Plague Dam the Bitch, what makes her stay so long.* Another Evidence said, that he wore Mr. *Condes* Ruffles, and ript off the Lace and burnt it, when he heard *Harwood* was taken, least it should discover him. It appeared that *Harwood* carried the Goods to her Lodgings; and presently after *Jones* came to her, the next day they removed the Goods, and sold them for 4 *l.* *Jones* denied the Fact, saying that his Sister gave him the Ruffles, and *Harwood* had little to say for her self; as to the Burglary the Evidence was not strong enough to Convict them: The Jury found them both Guilty of Felony, and not of the Burglary, and *Lewis* and *Hilton* were acquitted.

**Thomas Hilton**, and **Susan Lewis**, were a Second time Indicted for a Burglary, for breaking the House of *Thomas Clements*, on the 16th of *December* last, and taking thence a Cloath Coat, a Wast-coat and divers other Goods. The Prisoners called Witnesses to prove that they were at another place when the Robbery was committed the Jury acquitted them.

**John Clarke**, of the Parish of St. *Anns Westminster*, was Indicted for Feloniously stealing Five Yards of Frize, the Goods of *John Parker*, on the 13th of *December* last, to which Indictment she pleaded Guilty.

**Richard French**, *Gent.* **Roger James**, *Gent.* **George Dockwray**, *Gent.* of the Parish of St. *Martins* in the Fields, were Indicted for the Murther of *Richard Coot*, Esq; on the 30th of *October* last, for that they, together with *Edward*, Lord *Warwick* and *Holland* and *Charles* Lord *Mohun*, not yet taken; and that he the said *Edward*, Lord *Warwick* and *Holland*, with a Sword value 5 *s.* did give unto the Deceased one Mortal Wound, on the left part of the Breast, near to the Coller-bone, of the breadth of half an Inch, and of the depth of five Inches, of which he instantly died. It appeared that they all took Chairs from the Greyhound-Tavern in the *Strand*, and went to *Leicester-fields*, where the Fact was unfortunately done; and that the Prisoners were present when the Fact was committed; but they denied it, and it appearing to the contrary, The Jury found them Guilty of Man-slaughter.

They were a Second time Indicted upon the Coroners Inquest, and were likewise found Guilty of Man-slaughter.

**William Price**, **B——** **C——**, and **William Holton**, of the Parish of St. *Mary Islington*, were Indicted for Assaulting *Thomas Hurdiss*, Gent. on the High-way, on the 17th of *December* last, and taking from him a Bay Gelding, value 18 *l.* a Drabberdeberry Coat, a Watch, a Sword, a Guinea, and 30 *s.* in Silver, with a pair of Spatterdashers. The Prosecutor said that as he was going to *High-gate*, he was set upon at the back of *Islington*, by some Persons who Robbed him of his Goods, and carried him into a By-lane, and consulted what to do with him, they held Pistol to his Head, and threatned to kill him; then they threatned to bind him; and he told them that he was a Sickly-man, and it would be his Death. *B——* confest the Fact upon his Arraignment. *Price* was taken near *Pancrass-Church*, with the Prosecutors Spatterdashers on, The Evidence was not so full against *Holton*, he was Acquitted, and *Price* found Guilty.

They were a Second time Indicted for Robbing *Thomas Ford*, on the High-way, on the 17th of *December* last, and taking from him a Bay Mare, value 40 *s.* a Sadle Pannel, and two Hempen Bags, the Goods of *Elizabeth Holmes*, Spinster. *Ford* said that they met him at *Islington*, and knock'd him off the Horse, and took the Goods from him. *B——* confest it, and *Price* denied it, but it was plain against him; The Jury found him Guilty, and nothing being against *Holton*, he was Acquitted.

**Thomas Field**, of the Parish of St. *Mary Islington*, was Indicted for Feloniously stealing seven Flaxen Sheets, two Diaper Table Cloaths, three pair of Hempen Sheets, a Flaxen Pillow-beer, with divers other Goods, of *Oliver Luke*, Esq; on the 26th of *December* last. The Evidence said, that he was standing at his Door, he saw the Prisoner come by with a Bundle upon his Back, which made him suspect him; Examining him, found him in several Stories; with that he took him before a Justice, who committed him: There was a Letter of his own Hand-writing proved; wherein he did confess the Fact, and desired that he might be Banished to any part of the World. He denied the Fact, saying that he knew nothing of it. He had formerly been Guilty of other small Felonies, the Jury thereupon found him Guilty.

**Arthur Chambers**, of the Parish of *Stepny*, was Indicted for Feloniously stealing a Hair Camlet Gown, the Goods of *Lawrence Lawrence*, on the 26th of *November* last, to which Indictment he Pleaded Guilty.

**Thomas Symonds**, of the Parish of St. *Magnes Martyr* by the Bridge, was Indicted for Feloniously stealing Twenty four Yards of Linnen Cloath, the Goods of *John Hardlam*, on the 10th of *January* last. The Prisoner confest that he found the Door open, and he went into the Yard and took the Goods: The Jury found him Guilty to the value of 10 *d.*

**Elizabeth Webster**, alias **Percy**, and **Mary Webster**, of the Parish of St. *Brides*, were Indicted for Feloniously stealing nineteen Pewter Plates, six Diaper Napkins, the Goods of *Thomas Lodge* on the 20th of *December* last. It appeared to be a malicious Prosecution, they were acquitted.

**T——** **J——** of the Parish of *Alhallows Barking*, was Indicted for Feloniously stealing 7 *s.* 6 *d.* the Monies of a Person unknown, on the 13th of *December* last; It appeared that the Prisoner was a Workman at the Mint in the *Tower*; and being at work that Morning upon half Crowns, the Prisoner took his opportunity, and put his Hand into a Tray, and took the Money, and was going out with it, but being seen they called him back; he suspecting that they would search him, stoopt and laid them down. It was fully proved against him; he had but little to say for himself: The Jury found him Guilty.

*Thomas Stone*, Indicted as of the Parish of St. *Giles Cripplegate*, for Feloniously Stealing from *John Conyers* several Goods; the Prosecutor (*Conyers*) not appearing, and Oath being made that he had notice of the Tryal, and Proof made to the Court, that the Goods lay Pawned by *Conyers* Consent, and that he demanded Fourscore Pounds of *Stone*; who being a substantial Man; and his Reputation and Honesty being Spoak to from the Bench; Proclamation was then made in Court, for *Conyers* to Appear and Prosecute the said Indictment; but he not appearing, nor any Body for him, and the Court looking upon the Prosecution to be Malicious, and the Indictment to be brought only to extort Money from *Stone*, ordered the Jury to Acquit *Stone*; and ordered that *Conyers* Recognizance to Prosecute, should be forthwith Estreated.

**Ann Coleman**, of the Parish of St. *Trinity Minories*, was Indicted for Feloniously stealing a Silk Petty-coat, a blew Cloth Petticoat, with divers other Goods of *Jane Burton*, on the 11th of *December* last. The Prosecutor said, that she lost her Goods out of her House, and that part of the Goods were found upon the Prisoner, who said that she was a Lodger in the House, and that the things were her own, but could not prove it: The Jury found her Guilty to the value of 10 *d.*

**Margaret**

**Margaret Evans**, of the Parish of St. *Paul's Covent-Garden*, was Indicted for Feloniously stealing a Silver Spoon, and a pair of Buckles, the Goods of *William Rutter*, on the 7th of *January* last, to which Indictment she pleaded Guilty.

**George Wattson**, and **John Robinson**, of the Parish of *Stepney*, were Indicted for Felony and Burglary, for breaking the House of *Paul Theoband*, on the 31st of *December* last, and taking thence a pair of worsted Gloves, and Fifteen Pound weight of Worsted. It appeared, that Mr. *Theoband* had his House broke open, and his Goods gone, and that the Prisoners came to Mr. *Theoband*, and made a Bargain with him, to give them 25 *s.* to help him to his Goods again, and accordingly *Robinson* fetch'd the Goods. It appeared, that *Watson* knew nothing of the Burglary, but it did not appear that *Robinson* was Guilty of the Burglary, therefore the Jury acquitted him of that, and found him Guilty to the value of 10 *d.*

**William Day**, of the Parish of St. *Giles* in the Fields, was Indicted for Felony and Burglary, for Breaking the House of *Henry Goodlad*, on the 10th of *January* last, and taking thence four Pistols, a Cloath Livery Coat, a Copper Chafingdish, the Goods of *Henry Goodlad*, two Pewter-Dishes, a Westphalia-Ham, a great quantity of Linnen, and divers other Goods, of Sir *Willoughbey Hickman*, Baronet. The Evidence deposed, that they broke in at the Seller Window, and took the Goods. Upon search some Dishes and Plates were found under the Prisoners Bed: He denied the Fact; but the Burglary was not so plainly proved against him; the Jury acquitted him of that, and found him Guilty of Felony.

**Thomas Badge**, **Joseph Fisher**, **Edward Stone**, and **Thomas Whiteman**, the first three as Principal, and the other as Accessary, both before and after the Fact; *Badge* and *Fisher* upon their Arraignments pleaded Guilty; they were Indicted of the Parish of *Stepney*, for Feloniously stealing on the 22th of *December* last, 1680 yards of Stuff, value 123 *l.* the Goods of *Sebastion Gomorea*, and 143 Hats, value 125 *l.* the Goods of *Isaac Jackson*, and 26 Dozen of Worsted Stockings, the Goods of *David Carrin*. The Evidence was not sufficient to Convict *Stone* and *Whiteman*, they were acquitted.

**John Payden**, alias **Thomas Lock**, of the Parish of St. *Anns*, in the Liberty of *Westminster*, as Principal and *John Ward*, as accessary were Indicted for Polygamy, for that he, the 23d of *April*, 1693. did take to Wife one *Elizabeth Osborne*, and to her was Married at the Parish of St. *James Dukes-place*; and that he afterwards at the Parish of *Anns Westminster*, on the 29th of *September*, 1698. did take to Wife one Mrs. *Elizabeth Adey*, his first Wife being then alive: The first Evidence was the Minister of St. *James Dukes-place*, who deposed, that on the 23d of *April*, 1693. he Married two Persons, *Thomas Lock*, a Widower, and *Elizabeth Osborne*, a Spinster, but could not say he remembred them, but said he was desired by an Honourable Lady, who was present in Court, to go with her to *Newgate*, to see if he knew the said *Payden* alias *Lock*; accordingly he went, where he saw his first Wife; but no sooner had the Prisoner spied her, but that he fell upon his Knees, and ask'd her pardon for his fault, and acknowledged at the same time that he was Married to her, and likewise owned at the same time, that he was Married to the Lady, Mrs. *Elizabeth Adey*, and would have begged her Pardon, pretending to be sorry for his Offence; the Clerk of *Dukes-place* deposed that he was the Father that gave her, and that he well remembred them, by reason they invited him to their House, and gave him a pair of Gloves. Another Evidence said, that he went by the Name of *Lock*, and lived with her Sister as his Wife, and had a Child by her. An Attorney gave Evidence, that in *April*, 1693. he drew Writings concerning the Marriage of the said *Elizabeth Osborne*, with the Prisoner, and saw him Sign the same, by the Name of *Thomas Lock*, which Writings he produced in Court; and said, that he did see *Elizabeth Osborne* on *Monday* last was seven Nights. The Curate of St. *Anns Westminster*, deposed, that on the 29th of *September*, 1698. he had a License brought him to Marry two Persons, *John Payden*, Widower, and Mrs. *Elizabeth Adey*, Widow, which accordingly he did the same day, and said, that he did well remember the Prisoner to be the same Man; his Clerk likewise deposed the same: Another Evidence said, that by the means and subtilty of *Ward*, she had like to have been Married to the Prisoner, but that the Care and Prudence of her Friends detected the Villany; and that he Courted her by the Name of *Sevando Ponteus*, and had divers Letters from him to prove the same. She declared also, that he had Courted another Lady of a great Fortune, by the Name of *John Stiles*, Esq; she also said, that he hath been called in this City by the Name of the *Never-born*, or (*Un-born*) *Doctor*; and the Seventh Son of a Seventh Son. *Ward* pretended himself to be *Payden's*, alias *Lock's* Steward, (or Rent-gatherer) and vouched that his Master had a great Estate near *Norwich*, and procured a false Settlement to be made to Mrs. *Elizabeth Adey*, a Person of a great Family, and Honourably descended; but it did not appear that he knew any of the former Match, the Jury acquitted him; but *Payden*, alias *Lock*, made a frivolous Defence; saying that he was in *Flanders* at the time of the first Marriage, and would have called a Condemned Person to justify the same. The Jury having considered the Matter found him Guilty.

**John West**, was Indicted for a Misdemenor, for assaulting one *Mary Bowden*, Spinster, a Virgin, under the Age of Ten Years, with an intent to Ravish, and Carnally know her. The Child's Mother declared, that she found some Signs upon the Childs Body, and went to a Neighbour to ask her Advice; who told her she was afraid some Man had meddled with her: Asking her Daughter, she told her that the Prisoner would have lain with her twice; the Child declared, that the Prisoner threw her upon the Bed, but could not enter her Body; and gave her a Counter, and told her that it was a half Guinea; and that he would have done it another time, but her Father knocking he let her go. The Prisoner denied the Fact, saying, that he never offered any such thing to the Child in all his Life; but said, that he had tickled and toyed with her, but that did not avail him, the Jury found him Guilty.

**Jonas Sevatt**, of the Parish of St. *James Clerkenwell*, was Indicted for Feloniously stealing a Horse-lock, value 4 *d.* two Iron Keys, a staking Rope, and ten Geese, the Goods of *Benjamin Hamond*, on the 19th of *December* last. The Evidence deposed, that he took the Prisoner upon suspicion, with the Goods about him, and searching him found a Hen in his Coat-pocket, and another in his Breeches; and Mr. *Hamond* own'd, that he lost such Goods. The Prisoner made but a slight Defence for himself. The Jury found him Guilty to the value of 10 *d.*

**William Bates**, of the Parish of *Chelsea*, was Indicted for Feloniously Stealing from *Stephen Twyford*, one Ewe-Sheep, value 25 *s.* on the 10th of *December* last. The Prisoner denied the Fact, saying he found it hung up by the heels in a Wood; but he had confest the Fact before a Justice; the Jury thereupon found him Guilty.

**Pelham**, alias **Philip Corbett**, **John Murrey**, and **John Cradock**, of the Parish of *Chiswick*, were Indicted upon two Indictments; the first for Robbing one *John Evans* on the High-way, of a Silver Hilted Sword, a Watch, a Ring with three Diamonds, and an *Amethyst*, on the 10th of *June* last. And the other for Robbing one *John West* likewise, on the High-way; and taking from him a Bay Mare, a Silver Watch, and divers other Goods; to the first the Evidence deposed, that he was going from *London* to *Sibon-Hall*, he was set upon by the Prisoners; and that *Corbett* stood over him whilst he was Bound; upon which he was found Guilty; but as for the other two, the Gentleman declared that he did not know them, they were Acquitted. Mr. *West* said that he was Robbed, but could not say that any of the Prisoners were the Men, the Jury thereupon Acquitted them.

**John Pendleton** of the Parish of St. *Giles*, in the Fields, was Indicted for Feloniously stealing a pair of Shag Breeches on the 30th of *December* last, the Goods of *Samuel Wale*; the Evidence not being sufficient to Convict him he was Acquitted.

**Thomas Strowd**, was Indicted for a Trespass, for taking a Copper from the Freehold of *Nicholas Parker*, the Fact was fully prov'd against him; the Jury found him Guilty of the said Trespass.

**John Andrews**, and **Richard Johnson**, both of the Parish of *Hendon*, were Indicted upon two Indictments, for that they the Fourth of *January* last did steal Forty Pound weight of Lead, and eight Pidgeons, from Sir *William Rawlinson*, Knight, and Four Geese from *William Gardner*. It appeared that the Goods were taken at *Hamstead* upon *Andrews*, and that *Johnson* was at the same time in his Company, who denied that he knew any thing of the Fact, the Jury thereupon Acquitted him, and found *Andrews* Guilty to the value of 10 *d.*

**Joseph Dron**, alias **Orley**, of the Parish of St. *Martins* in the Fields, was Indicted for Felony and Burglary

Burglary, for Breaking the House of *Frances Dawes*, Widow, on the 14th of *December* last, and taking four Holland Shirts, five Flaxen Napkins, with divers other Goods. It appeared that the Prisoner and the rest of his Gang broke through the Wall, but being discovered, a little Girl cried out Thieves, upon which the rest escaped, and the Prisoner was taken in the House, with the Goods upon him. He had little to say for himself, the Jury thereupon found him Guilty.

**Edward Fowler, John Kind, William Bartholomew,** alias **Spott,** and **William Fly,** were Indicted upon four Indictments, the first for a Burglary, for breaking the Coach-house of *Charles*, Earl of *Derby*, on the 18th of *December* last, and taking thence two Velvet Coach Seats. The Second for Feloniously taking four Brass Toppings, eight Pound weight of Brass ballion, a Coach value 8 *l.* and two Horses, the Goods of *Matthew Morgan*. The third, for Feloniously taking a Coach and Horses, Coach-seats, and other Goods, of *George Bates*. The Fourth for stealing two Cloath Coats, three Hempen Sacks, and divers other Goods, out of the Stable of *William Moss*. As to the first there was no Evidence against them, they were acquitted, But to the 2d Indictment, *Morgan* said he went to carry a pair of Shoes to the Coblers, and in the mean while they drove away his Coach, which he afterwards found left by the Prisoners, who had cut out the Lining of his Coach: As to the third *Bates* said, he set down his Fare in *Covent-Garden*, and whilst he went to receive his Money, they took his Coach and Horses, and drove them away, and cut out the Linings of his Coach, and cut four new Traces, as to the Fourth, *Moss* said, that the Goods were taken out of his House, but did not know who it was that took them, but one that was in the Gang with the Prisoners, declared that he was present in all the Facts Committed by them; but said, that *Fuller* was not with them, upon which he was Acquitted, and the rest found Guilty of the three Indictments.

**Susan Mason,** alias **Mawson,** of the Parish of St. *Giles* in the Fields, was Indicted for Felony and Burglary, for breaking the House of *John Inman*, on the 30th of *December* last, and taking thence a worsted Camlet Cloak, a Drugget Coat, with divers other Goods. The Evidence against her, was not sufficient to Convict her, she was Acquitted.

**P—— E——,** of the Parish of St. *Clements Danes*, was Indicted for Feloniously stealing a Silver Spoon from *Edward Shanks*; to which Indictment she pleaded Guilty.

**John Covey,** and **Stephen Cox,** of the Parish of *White Chapel*, were Indicted upon four Indictments, for Felony and Burglary; the first for breaking the House of *William Ravenscroft*, and taking thence two Iron Casements: the second for breaking the House of *Thomas Swaine*, and taking thence Eighty one Pound weight of Iron: the third for taking three Iron Casements, from *Benjamin Disermew*: the Fourth for taking two Iron Casements from *Samuel Guinock*; it being proved to be Trespass, for taking the Casements, and not Burglary, they were Acquitted of those three Indictments; as for Mr. *Swaines* Iron, it did not appear to be Burglary, they were acquitted of that, and found Guilty of Felony only.

**Richard Bennet,** of the Parish of St. *Giles* in the Fields, was Indicted for Feloniously stealing a Sack of Wheat Flower from *Thomas Stevens*, on the Nineteenth of *December* last. It was taken upon him; the Jury thereupon found him Guilty.

**Thomas Barlow** of the Parish of St. *Mary Islington*, was Indicted for Feloniously stealing two Weather Sheep, from *Thomas Willingham* on the third of *December* last. There was not Evidence to Convict him, he was Acquitted.

**Alice Reading,** alias **Flood,** of the Parish of St. *Leonard's Shoreditch*, was Indicted upon two Indictments, the first for Stealing a Flaxen Smock from *William Perkins*; and the second for taking a Copper Pot, and a Flaxen Sheet, from *Richard Buck*: The Evidence was not strong enough to convict her; for the first she was acquitted; as to the taking of *Buck's* Goods she confest it; thereupon the Jury found her Guilty to the value of 10 *d.*

**William Pattison,** of the Parish of St. *Pauls Shadwell*, was Indicted for Feloniously stealing a Brass Kettle, and Five Pound weight of Yarn, from *Thomas Dodge*, on the seventh of *January* last; it was fully proved against him, he was found Guilty to the value of 10 *d.*

**Richard Tod,** and **Peter Taylor,** both of the Parish of *Hornsey*, were Indicted for Feloniously stealing two Ewe Sheep from *James Baker*, on the 18th of *December* last. It appeared that the Skins were found in *Taylor's* House; he was thereupon found Guilty to the value 9, 10 *d.* but the Evidence against *Tod* was not so positive, he was thereupon acquitted.

**Daniel Staines,** of the Parish of *Edmonton*, was Indicted for Feloniously stealing a Buck-skin from *Henry Ford*, Esq; on the 2d of *January* last; the Evidence was not sufficient to Convict him, he was acquitted.

**James Stanley,** of the Parish of St. *Mary le Bone*, was Indicted for Robbing *John Parrott* on the Highway, on the 24th of *November* last, and taking from him a Cloath Coat, a Hat, and 2 *s.* in Monies numbred. The Prosecutor said that he was coming from *Amersham* to *London*, with *Pork*, he was set upon by the Prisoner, and some others, by my Lord Mayor's Banquetting House, in *Tyburn-Road*, who took the Goods from him. There was another Evidence who declared, that he and the Prisoner was present at the Robbery. He had little to say for himself. The Jury found him Guilty.

He was a Second time Indicted for a Burglary, for Breaking the House of *George Muggett*, at *Fulham*, on the 5th of *November* last, and taking thence a Silk Petty-coat, a Silk Gown, and divers other Goods. It appeared, that they lifted the Door off the Hinges with a Pitch-fork, and laid hold of Mr. *Muggett's* eldest Daughter, and threw her on the Ground, and kept her there whilst they rifled the House. He had little to say for himself. The Jury found him Guilty.

**Mary Rumsey,** and **Mary Steward,** both of the Parish of St. *Giles* in the Fields, were Indicted for Feloniously stealing four Pistols, a Cloath Livery Coat, with divers other Goods of Sir *Willoughby Hickman*, and divers other Goods of *Henry Goodlad*, on the 10th of *January* last. It did not appear they stole them: They were Acquitted.

**Christopher Morris,** of the Parish of St. *Martins* in the Fields, was [illegible]ed for Feloniously stealing a Machlin Laced Cravat, [illegible] of *Christopher Brandon*, on the Twelfth of *December* la[illegible] The Prosecutor could not say he stole it. The Jury acquitted him.

**Samuel Barber, Joseph Orley** and **William Wolder,** all of the Parish of St. *Anns Westminster*, were Indicted for Felony and Burglary, for breaking the House of *Nicholas Parterick*, on the 22d of *November* last, and taking thence One hundred thirty six Yards of Printed Stuff, four Callico Quilts, and divers other Goods. The Prosecutor said, that he lost his Goods out of his Shop, which were afterwards sold by the Prisoners for 50 *s.* and 8 *d.* and shared the Money amongst them. It did not appear to be Burglary, the Jury acquitted them of that, and found them Guilty of Felony only.

**Thomas Laws,** of the Parish of *St. Leonards Shoreditch*, was Indicted for Feloniously stealing three Yards of Silver Fringe, value 40 *s.* a Cloath Coat, and divers other Goods, of *Charles Freeman*, on the 9th of *January* last. It appeared that the Prisoner sold the Fringe for 4 *s.* and he could give no account how he came by it. The Jury thereupon found him Guilty.

**William Blackmore,** of the Parish of St. *Sepulchres*, was Indicted for Felony and Burglary, for Breaking the House of *Alice Price* on the Twenty eighth of *December* last, and taking thence three Flaxen Sheets, three Smocks, four Hoods, two Pewter Pots, and divers other Goods. It appeared to be no more then Felony. The Jury found him Guilty of that, and Acquitted him of the Burglary.

**Mary Harris** of the Parish of St. *James Westminster*, was Indicted for Felony and Burglary, for Breaking the House of *Edward Homes*, on the 10th of *January* last, and taking thence three Holland Aprons, two blew Holland Smocks, four Smocks, three Shirts, and divers other Goods, and a Brass Watch of *Elizabeth Holmes*, Spinster. The Evidence deposed, that she was seen to lift up the Latch, and go in and take the Goods, which were found upon her. The Prisoner did not deny but that she opened the Door, but said, that the Goods were given her by another Woman, but could not prove it; the Jury thereupon found her Guilty.

*Thomas*

**Thomas Cookson**, was Indicted for a Misdemeanor for Kidnapping one *Edward Battler* a Boy, and carrying him on Board the Ship, called, *The Benjamin and Mary*, with an intention to convey him beyond the Seas to *Maryland*: The Boy said, that another Person met him, and brought him to the Prisoner, who carried him to a Cooks Shop, and gave him Victuals, and made him drunk with Brandy; and when he had done, he told him that he must go along with him; telling him that he must say he had no Friends; accordingly he took him to an Office on *Fish-hill*, where he was bound, his Mother hearing where her Son was, got my Lord Chief Justices Warrant to fetch her Son home, and to take the Prisoner, which she did, who said but little for himself; saying that the Boy came to him, and told him that he had no Friends; he accordingly bound him. The matter was fully proved against him, the Jury thereupon found him Guilty.

**Mary Bunch**, alias **Robinson**, of the Parish of St. *Clements Danes*, was Indicted for Stealing a Silk Gown, value 20 s. the Goods of *John Oldfield*, on the 20th of December last, and a Stuff Petticoat, from *Frances Arbut*, Spinster. *Arbut's* Petty-coat was taken upon the Prisoners Back, who having little to say for her self, the Jury found her Guilty to the value of 10 *d.*

**William Langton**, of the Parish of St. *Martins* in the Fields, was Indicted for Feloniously stealing a Feather-bed, Bolster, two Blankets and a Quilt from *Ralph Latyman* on the 24th of December last. It appeared, that the Prisoner took the Goods and sold them for 28 *s.* and 6 *d.* he had little to say for himself. The Jury thereupon found him Guilty.

**Ann Harris**, of the Parish of St. *Andrew Holborn*, was Indicted for Feloniously stealing an Allamode Hood, a Scarf, a Gown, and divers other Goods, of *Jane Edgerton*, on the 5th of December last, and a silver Spoon, two Pearls, a 5 *s.* piece of Gold of *Margaret Edgerton*. It appeared that when the Prisoner was taken, she had the Prosecutors Hood upon her head. The Prisoner said it was her own, but she could not prove it, thereupon the Jury found her Guilty.

**John Bantister**, of the Parish of *Totenham High-Cross*, was Indicted for Stealing a Spade and a Hedge Bill, from *Ralph Harwood*, the 18th of December last; the Evidence was not sufficient against him, he was Acquitted.

*The Trials being over, the Court proceeded to give Judgment as followeth.* Received Sentence of Death,

*B——C——Pellow*, alias *Phillip Corbet*, *Margaret Evans*, *William Fry*, *Herbert Aleving*, *John Kind*, *Joseph Cane*, alias *Bailey*, *William Price*, *Rebecca Petty*, alias *Adams* alias *Jones*, *James Stanley*, *William Pleasant*, *Mary Harris*, and *William Bartholomew*. *Thomas Cowdley*, died in Prison, before Judgment in the Hall.

*John Armstrong*, *Elizabeth Bedford*, *William Bates*, *William Blackmore*, *Richard Barnet*, *John Clarke*, *Arthur Chambers*, *C——J——*, *John Cane*, *Stephen Cox*, *William Day*, *Anne Fell*, *Elizabeth Floyd*, *Thomas Field*, *Joseph Ayleys*, *Jane Hathaway*, *Alice Hudson*, *Esther Harwood*, *Anne Harris*, *Thomas Jones*, *Richard Jones*, *Thomas Lewis*, *William Langton*, *Elizabeth Mon*, *Mary Phillips*, *John Paulin*, alias *Thomas Luck*, *Mary Pul*, *P——E——*, *Thomas Rudge*, *Mary Stafford*, *Margaret Taylor*, *Elizabeth Willis*.

*Richard Fowell*, *George Dockeray*, and *Roger James*, *Samuel Barber*, and *William Wilder*, were respited till further Order.

To be Transported, one *Thomas Badge*.

To be Whipt,

*John Andrews*, *Mary Busch*, *Anne Coleman*, *Joseph Day*, *Mary Franklin*, *Grace Price*, *William Pattison*, *John Robinson*, *Alice Reading*, *Thomas Simonds*, *Jonas Sewell*, *Peter Taylor*, and *Thomas Williams*.

*James Beckett*, and *Henry Collet*, were fined 13 *s.* and 4 *d.* each and to stand three times in the Pillory, at Charing Cross, Admiralty Office and at *Westminster-Hall*.

*Thomas Kirkham*, fined 100 *l.* and find Sureties, for his good behaviour for seven Years.

*John Webb*, fined 20 marks and find Sureties for his good behaviour for seven Years.

*Thomas Stroud*, fined 13 *s.* and 4 *d.* and find sureties for his good behaviour.

The Women Pleaded their Bellies, and a Jury of Matrons were Impannell'd, who found that *Rebecca Petty*, alias *Adams*, and *Mary Harris*, to be not with quick Child, and *Margaret Evans*, to be with quick Child.

By reason of so many Criminals this Sessions, the Printer had not room (in this Paper) to put in the Tryals of *William Pleasant* for a Rape, *Mary Poole*, a Gypsie, *Rebecca Jones*, a Notorious Offender, *&c.* An Account of them will be Published together with speed. Printed by *F. Collins* in the *Old-Bailey*.

The Court Adjourned to *Wednesday* the 1st of *March*. 1699.

God Save King *WILLIAM*.

Sir *Francis Child*, Mayor.


ADVERTISEMENTS.

You that do want a Cure, and a Physician need,
If that you come *betimes*, you may be *cur'd with speed*,
*He liveth at the* Elew Bull *in* Whale-bone Court, *at the* Lower-end *of* Bartholomew Lane, by the Royal Exchange.

WHO infallibly cures the *French Disease* and *Claps*, and all other its numerous Attendants, which oftentimes are the products of other grievous and lasting Diseases, to the utter ruine of many, besides frequently untimely death, procured by them through grand Abuses, committed by the irregular and base Methods and Medicines of foolish and unskilful Pretenders.

*Those are therefore to Advertise all Persons who are afflicted with the Disease aforesaid to repair to him, for he performeth the true and perfect Cure thereof, without hindrance of business, and with all desirable and imaginable speed and secresie.*

*The Pills* are prepared for the French Disease & the Running of the Reins, *may be had in Boxes of several Prices, with other* Venereal Arcanaes, *as occasion requires. Price, from* 1 *s.* 6 *d.* to 3 *s.* and from 3 *s.* to 6 *s.* the Box with Directions. *These Pills are free from Mercury, and proper in all Diseases, where Purging is requisite.*

His *Diet drink* cleanses the Reins, provokes Urine, and abates the sharp pains or stoppage of Urine in the Running of the Reins. *Price* 2 *s.* the Bottle.

*He hath likewise a most excellent Gargarism or Mouth-water, which will make black or yellow* Teeth *as white as Ivory in a few times using; and it will certainly cure the* Scurvy, *and all other Diseases incident to the* Mouth, Teeth *and* Gums. *The Glasses are of several Prices, with Directions.*

*Elixir Stomachicum*; Or, The great Cordial *Elixir* for the Stomach, of a delicate Flavour, and pleasant (tho Elitish) taste, not Purging but Cordial only, to be drank at any time (but especially in the Morning) in any Liquor, as Wine, Ale, Tea, or a Glass of Fair Water, *&c.* Which for all Ailments of the Stomach, as want of Appetite, Indigestion, Wind or Weakness, Loathing, *&c.* more especially after hard Drinking, the Scurvy, Fits of the Mother, or Vapours in Women, and many other Distempers Incident to the Brain and Stomach, of which the Directions given with each Bottle will describe more at large: It is certainly as good a Medicine as is yet known, and of such use and excellency, for all Seamen and Travellers, as when once Experienced by them, they will not go without it. Price One Shilling the Bottle. Each Bottle Sealed, and Directions Stampt with my Seal, *viz. A Pile Surmounted by a Fess between four Leopards Heads*, without which they are not mine.

If any Captain, Seamen, Shopkeeper, or any keeping Publick Houses, want any quantity to dispose of, or sell again, they may be furnished (with Allowance) by Letter or otherwise, by *Henry Gurney* at the Fruit Stoop the South Entrance of the *Royal Exchange* in *Cornhill*, *London*, where you may be truly satisfied of its faithful and true preparation. Also you may have all things of this kind truly and Warrantably prepared

WHereas of Late some Persons, particularly the last Execution, have published an Account of the Confessions of the Condemned Criminals. The Reverend Mr. Allen, *now Ordinary, thinks fit to acquaint the World, to prevent their being imposed upon for the future, that they are utterly false, and that no true Account of the Condemned Prisoners Behaviour, Confessions, and last Dying Speeches can be given, till next day Eleven of the Clock, which is Attested under his Hand; and constantly printed for* E. Mallet, *next Door to the Kings-Arms Tavern near Fleet-bridg.*


*London*: Printed by *F. Collins* in the *Old-Baily*, 1698. where any Person may have Advertisements inserted in this Paper.

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174

# A TRUE COPY OF THE PAPERS

That were

Delivered by Mr. *William Cress*, and *Edward Robinson*, to the Reverend Mr, *Allen*, Ordinary; at their Execution, on *Friday* the 22*d*. Instant *Decemb*. 1699.

## *The True Copy of Mr.* Cress's *Paper, as Followesh.*

Good People,

I AM Come here to Suffer an Ignominous Death, which I [illegible] as little Dream't of, as any here present do this Day. It is but fit that I should give you some Account of me, and of this Fact for which I Suffer, before I go hence and be no more seen. I was Born in *Froome* in *Sommersetshire* of a good honest Family; there I lived till 5 Years Old, then my Father Died, and my Mother Remov'd to the *Bath*, where I remain'd till I arrived to 16 Years: At which time the King coming in, and raising Forces for *Irland*, I resolved to try my Fortune in a Military Life; being a Soldier under Sr. *John Edgworth*, for one Year I continued so, and then I Serv'd in Sr. *Halbert Cunninghams* Regiment of Dragoons for three quarters of a Year, when for a Signal Piece of Service done in the Field, my Colonel gave me a Quarter masters Commission and in the space of one Year, I was honour'd with that of a *Cornet* in the same Regiment; And so remain'd till *June* 97. And then sold my Commission, and came to my Friends in the *Bath*; where I stayed till *June* last, when Unfortunately I came here to lose my Life by an Untimely End, for a Murther Committed on a Woman, who went by the Name of *Rose Robinson*, whom I now own to be my Wife, being Married to her at *Molingar* in *Irland*, as I have acquainted the Reverend Mr. *Ordinary*; which Murther was committed after this manner: I went to see her, accompanied with my Brother, now fellow Sufferer: Having Drunk hard that Day I called for a Pot of small Beer, and sat down, but quickly fell a Sleep; but before that, I heard the Deceas'd ask *Robinson* for *Money*. I had not Slept long till I was awakened by a noise, and then found him depressing the Woman to the Floor with his Hand on her Throat, and his Knee on her Belly; I askt him what was the matter; And he told me she was in a Fitt, I never saw her stir after that, only one Foot as she Died: I layed no Hand upon her, with a design to Kill her, only helpt to pull off her cloaths, and put her to Bed. This is the cause of my miserable Downfal, in Concealing the Murther and assisting him after it was Acted; so I conclude, and wish all the World to take Warning by me, and shun evil Company, lest it shou'd bring them to such Shame and Misery, which I by my wretched Folly have now Justly Incurr'd.

*December*, 22*d*. 1699.

## *The True Copy of* Edward Robinſon's *Paper.*

WOrthy Gentlemen, and all you who are Spectators of this my miſerable Downfall, which hath happened by my keeping of Evil Company, I deſire you for God's ſake, and for my ſake, who now ſuffer for it, avoid and fly from it. My Sins are many and great, but I hope God will of his infinite mercy pardon them. As for this Crime, for which I die, I cannot ſay that I am innocent and guiltleſs, becauſe I ſo long concealed this horrid and execrable Murther, which I did at the Perſwaſion of my Brother, my now Fellow-ſufferer, who indeed did commit it. The Deceaſed had two Children by him, for they lived as Man and Wife; Words ariſing between them, they ſeem'd to be reconciled, and lay down on the Bed, drawing the Curtains, ſo that I could not have any ſuſpicion of an ill Intent; ſoon after I heard the Woman cry, but I took no notice of it, neither did I know that ſhe was Murthered, till he told me: I conceal'd his Crime, for which I am now ſorry. I do heartily repent of my Ill Doings: I deſire the Prayers of all good People, and deſire you all to take heed of Bad Company. So recommending my Soul into the Hands of my God, I die the Unfortunate.

*Edward Robinſon.*

Theſe two Speeches, ſo different about the Executioner of that Barbarous Murther, were read to them publickly, each aſſerting his Paper to be the trueſt Account; various and preſſing Arguments were uſed to perſwade them to agree in one Relation, but they were ineffectual. For, notwithſtanding what was ſaid to them, they continued jarring and claſhing with one another, till the Cart almoſt drew away: Nay, even then, for a Minute or more, Mr. *Greſs*, by way of abhorrence of what the other ſaid, made ſeveral motions with his Trembling Hands towards him.

*Dated the 22d of* December, *1699.*

*John Allen*, Ordinary.

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# ADVERTISEMENTS.

JOHN WATTS *(Operator in Teeth) lives at the Sign of the* Hand *and* Mouth, *and* Kings-Arms, *within Three Doors of* Bride-Lane, Flett-ſtreet, *he draws and cleans Natural-Teeth, (ſets in Artificial ones ſo firm and exact, as to be eat on, and not diſcovered by any perſon whatever from Natural; ) likewiſe ſells a Powder to keep Natural Teeth White, Firm and Sound.*

*At the fartheſt Houſe on the Left Hand, in* Clare-Court, *over-againſt* Ruſſel-Court *in* Drury-Lane, Strand.

GEntlemen and others may have an Intereſt made to inveſt them in Places ſuitable to their ſeveral Qualities and Capacities? We have now ſeveral conſiderable Places, in Town and Country to diſpoſe off, moſt to be acted by Deputies: We have alſo ſeveral of a leſſer value (*viz* 80*l.* 70*l.* 60*l.* 50*l.* 40*l.* a Year Sallaries) for thoſe that Write and Caſt Accounts well: We alſo ſpeedily and faithfully ſollicite all ſorts of Cauſes depending in the Courts of Law and equity, Treaſury, Admiralty, Navy Offices. We Buy and Sell Houſes Eſtates Ground Rents, &c. all Perſons who apply themſelves to us, ſhall have no reaſon to ſuſpect being impos'd upon, for our cheif Undertaker is a Gentleman of Quality, well known to many of the Principal Nobility and Gentry of this Kingdom. We think fit to inform the Publick *that* the Original of this Undertaking in *England*, was Mr. *Alexander Collins* Deceas'd, who many Years ſucceſsfully manag'd it at *St. James's* for the continuation of it, for the Publick good, the Perſon of Honour aforeſaid has been pleas'd to imploy ſome near Relations of the ſaid Mr. *Collins* who manag'd it for a conſiderable time before his Deceaſe.

LONDON: Printed for *Jer. Wilkins*, in *White-*

2. 207

# THE CASE OF A MURTHER IN Hertfordſhire.

515. L. 145

Found amongſt the Papers of that Eminent Lawyer, Sir *John Maynard*, late one of the Lords Commiſſioners of the Great Seal of *ENGLAND*.

THE Caſe, or rather Hiſtory of a Caſe, that happened in the County of *Hertford*, I thought good to report here, tho' it happened in the Fourth Year of King *Charles* the Firſt, that the memory of it may not be loſt, by Miſcarriage of my Papers, or otherwiſe. I wrote the Evidence that was given, which I, and many others did hear, and I wrote it exactly according to what was depoſed at the Tryal, at the Bar of the *Kings-bench*, viz.

*Johan Norkott*, Wife of *Arthur Norkott* being Murthered, the Queſtion was, How ſhe came by her Death? The Coroner's Inqueſt on view of the Body and Depoſitions of *Mary Norkott*, *John Okeman*, and *Agnes* his Wife, inclin'd to find *Johan Norkott* Felon *de ſe*: for they informed the *Coroner* and *Jury* that ſhe was found Dead in her Bed, the knife ſticking in the floor, and her Throat Cut. That the Night before ſhe went to Bed with her Child.

*Plantiff.* In this appeal, her Husband being abſent, and that no other Perſon after ſuch time as ſhe was gone to Bed, came into the Houſe, the Examinants lying in the outer Room, and they muſt needs have ſeen or known, if any Stranger had come in;—Whereupon the *Jury* gave up to the *Coroner* their Verdict, that ſhe was Felon *de ſe*; but afterwards upon rumor among the Neighbourhood, and their Obſervation of divers Circumſtances, which manifeſted, that ſhe did not, nor according to thoſe circumſtances could poſſibly Murther her ſelf; thereupon the *Jury*, whoſe Verdict was not yet drawn into form by the *Coroner*, deſired the *Coroner* that the *Body* which was *Buried* might be taken up out of the Grave, which the *Coroner* aſſented to, and 30 days after her Death, ſhe was taken up in the preſence of the *Jury* and a great Number of the People; whereupon the *Jury* chang'd their Verdict; the Perſons being Tryed at *Hertford* Aſſizes were acquitted. *But* ſo much againſt the Evidence, that Judge *Harvey* let fall his opinion, that it were better an appeal were brought, than ſo foul a Murther eſcape unpuniſhed; and *Paſcha* 4. *Car.* They were tryed on the appeal, which was brought by the Young Child againſt his Father, Grandmother and Aunt, and her Husband *Okeman*; and becauſe the Evidence was ſo ſtrange, I took exact, and particular Notice, and it was as follows, *viz.*

After the matters above mentioned related, an Ancient and Grave Perſon, Miniſter to the Pariſh where the Fact was committed (being Sworn to give Evidence according to Cuſtom) depoſed, that the Body being taken up out of the Grave 30 days after the parties Death, and lying on the Graſs, and the four Defendants preſſed, they were required each of them to touch the dead *Body*; *Okeman's* Wife fell upon her knees and prayed God to ſhew token of her Innocency, or to ſome ſuch purpoſe: her very words I have forgot. The Appellees did to ch the Dead Body, whereupon the Brow of the Dead, which was before a Livid and Carrion Colour, (that was the Verbal expreſſion in Terminis of the Witneſs,) began to have a Dew, or gentle Sweat arile on it, which increas'd by degrees, till the Sweat ran down in drops on the Face, the

Brow

Brow turn'd and chang'd to a lively and Freſh Colour, and the Dead opened one of her Eyes, and ſhut it again; and this opening the Eye was done three ſeveral times; ſhe likewiſe thruſt out the Ring or Marriage Finger 3 times, and pulled it in again, and the Finger dropped Blood from it on the Graſs.

Sir *Nich. Hide*, Chief Juſtice, ſeeming to doubt the Evidence, ask'd the *Witneſs*, Who ſaw this beſides you?

*Witneſs*. I cannot Swear what others ſaw, but My Lord (ſaid he) I do believe the whole Company ſaw it; and if it had been thought a doubt, proof would have been made of it, and many would have atteſted with me. Then the *Witneſs* obſerving ſome Admiration in the Auditors, he ſpake farther,

My Lord, I am Miniſter of the Pariſh, and have long known all the Parties, but never had any occaſion of diſpleaſure againſt any of them, nor had to do with them, or they with me but as I was Miniſter. The thing was wonderful to me, but I have no Intereſt in the matter, but as called upon to teſtifie the truth, and that I have done.

This Witneſs was a very Reverend Perſon, as I Gueſs'd was about 70 Years of Age: his Teſtimony was delivered Gravely, and Temperately, but to the great Admiration of the Auditory; whereupon applying himſelf to the Chief Juſtice, he ſaid,

My Lord, my Brother here preſent, is Miniſter of the next Pariſh adjacent, and I am aſſur'd ſaw all done that I have affirmed; therefore that Perſon was alſo Sworn to give Evidence, and did depoſe in every point, *viz.* The Sweating of the Brow, the change of its colour, opening of the Eye, and the thrice motion of the Finger, and drawing it in again; only the firſt *Witneſs* added, that he himſelf dipped his Finger in the Blood which came from the dead Body to examine it, and he Sware he believed it was Blood: I conferred afterwards with Sir *Edmund Powell*, Barriſter at Law, and others, who all concurr'd in the obſervation; and for my ſelf, if I were upon my Oath, can depoſe that theſe Depoſitions, eſpecially the firſt *Witneſs*, are truly reported in Subſtance.

The other Evidence was given againſt the Priſoners, *viz.* The Grandmother of the Plantiff, and againſt *Okeman* and his Wife, that they confeſt they lay in the next Room to the dead Perſon that Night, and that none came into the Houſe till they found her dead the next Morning.

Therefore if ſhe did not Murther her ſelf, they muſt be the Murtherers: To that end further Proof was made.

Firſt, that ſhe lay in a compos'd manner in her Bed, the Bed-Clothes nothing at all diſturb'd, and her Child by her in Bed.

Secondly, Her Throat cut from Ear to Ear, and her Neck broken; and if ſhe firſt cut her Throat, ſhe could not break her Neck in the Bed, nor Contra.

Thirdly, There was no Blood in the Bed, ſaving there was a Tincture of Blood on the Boliſter, whereon her Head lay; but no Subſtance of Blood at all.

Fourthly, From the Beds-head there was a ſtream of Blood on the Floor which run along till it Ponded in the bendings of the Floor to a very great quantity; and there was alſo another ſtream of Blood on the Floor at the Beds feet, which Ponded alſo on the Floor to another great quantity, but no continuance or communication of Blood of either of theſe two places, from one to the other, neither upon the Bed; ſo that ſhe bled in two places ſeverally; and it was depoſed, turning up the Matt of the Bed, there was Clotts of congealed Blood in the ſtraw of the Matt underneath.

Fifthly, The bloody knife was found in the morning, ſticking in the Floor, a good diſtance from the Bed, but the Point of the knife as it ſtuck was towards the Bed, and the Haft from the Bed.

Laſtly, There was a print of a Thumb and four Fingers of a left hand. Sir *Nich. Hide* Chief Juſtice ſaid to the Witneſs, How can you know the print of a Left hand from the print of a Right hand in ſuch a caſe?

*Witneſs*, My Lord it is hard to deſcribe; but if it pleaſe that Honourable Judge to put his left-hand upon your left-hand you cannot poſſibly place your right-hand in the ſame poſture; which being done, and appearing ſo, the Defendants had time to make their defence, but gave no Evidence to any purpoſe. The *Jury* departed from the Bar, and returning acquitted *Okeman*, and found the other three Guilty, who being ſeverally demanded what they could ſay, why Judgment ſhould not be pronounced, ſaid nothing, but each of them ſaid, I did not do it, I did not do it.

Judgment was given, and the Grandmother, and the Husband Executed; but the Aunt had the priviledge to be ſpared Execution, being with Child.

I inquired if they confeſt any thing at their Execution, but did not as I was told.

*London*, Printed in the Year, 1699.

# An ACCOUNT of the Apprehending & Taking of Mr. John Robinson, and William Cris, For the MURTHER of Mrs. Mary Robinson

575. L. 2
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Particularly,

*How they were discovered by a Letter from an unknown Hand, and Seized in their Beds, one Morning at a Barber-shop, next Door to the* Talbut-Inn *near the May-Pole in the* Strand. *With their Examination, and Committment to* Newgate *for the same. With the manner of the said Barbarous Action, &c.*

THE Barbarous and Inhuman Murther [illegible] in *Shere-Lane* by her pretended [illegible] A Letter Yesterday in the Eve[illegible]ng came fro[illegible] Hand, to Mrs. *Gilder's* in *Shere-Lane*, signifying [illegible] Persons who had Committed that Barbarous Action, were [illegible] Shop next Door to the *Talbut* Inn over-against the *May-pole* in the *Strand*. And withall added that if they were not surprized that Night they would be gone next Morning, upon which Mrs. *Gilder* Communicated the matter to some Neighbours, who thereupon having Consulted with the Constable and watch near that place, it was agreed to defer Seizing them till near 3 of the Clock this Morning at which time, Entering the House they found them in seperate Beds with 2 Women which they called their Wives and having Examined them and the People of the House it appear'd that, they had been Lodgers there ever since *August* Last, however, Mrs. *Gilder* being sent for, she positively declared that they were the same Persons that were last in the Company of Mrs. *Robinson*, that Night she was found Murthered, and that they went under the Notion of her Brothers; and they making but very frivilous Excuses the Constable and Watch secured them till near 10 of the Clock, and then they were brought before the Coroner, in *Bell-Yard* near *Temple Bar*, where they were Examin'd seperately insomuch that, they Confused each other in their Answers; and thereby it plainly appeared that they were both Gilty of the aforesaid wretched Barbarity, tho' they seem'd for a considerable time to deny it, whereupon the *Coroner (who the Day before had found it Wilful Murther.) Committed them both to* Newgate.

*And accordingly they where Conveyed thither in a Coach, between Twelve and One of the Clock, where they are to remain till the next Sessions, which is now nearly approaching in order to be Tryed, for the Abovementioned Bar-*

*barous Murther, where no doubt but they will receive a reward ſuitable to their deſerved Crime.*

*We are juſt now informed by a Gentleman that knows both* William Criſs, *and Mr.* Robinſon, *that Criſs was the real Husband of the Murthered Gentlewoman, and that* Robinſon *had Married Mr.* Criſſes *Siſter, ſo that they were Brothers in Law as was at firſt given out: The deceſed Gentlewoman's former Husband being own Brother to this Mr.* Robinſon, *and 'tis ſuppoſed that the only reaſon that induced, Mr.* Criſs *to perform this Barbarous Action was, becauſe he had lately Married another Woman.*

## The Account of the ſaid Murther.

ABout a Week ſince, Mrs. *Mary Robinſon* took a Lodging at one Mrs *Gilders*, a Harters Widdow near *Temple-Bar*, at which time two Gentlemen whom the ſaid was her Deceaſed Husbands Brothers accompanied her, and they have ſince made her ſeveral Viſits, ſhe having one Girl with her not above 4 Years of Age: And on *Wednesday* laſt being the 29th of *November*, the ſaid two Brothers came again about 8 of the Clock at Night, when coming to ſpeak with Mrs. *Robinſon* their Siſter, Mrs. *Gilder* told them ſhe was in her Chamber, and thereupon gave them a Candle and deſired them to walk up two pair of Stairs to her, not in the leaſt ſuſpecting [illegible] ſo that having the Light in Candle in [illegible] accordingly entered her Chamber where they found her in bed, and having been there about half an Hour, Mrs *Gilder* heard a [illegible] above, and at the ſame time, a kind of a Loud Screech or [illegible] to ſee what was the matter, ſhe was met by the [illegible] by Mrs. *Gilder* what Noiſe was in Mrs. [illegible] the Candle into her Hand, and told her that [illegible] ward, but now it was pacified again, and for [illegible] ſeeing them make more haſt than Ordinary out [illegible] they had Committed ſome Villany, ſo that ſhe [illegible] knock'd at the Mrs. Robinſon Door, but [illegible] ſome of the Neighbours was call'd in, and in fine the door was broke open, for it being a ſpring Lock the Murther, had lock'd it after them, having got into the Chamber, they found Mrs. Robinſon Murthered, in a moſt Wretched and Cruel manner, her Neck and Throat being as black as a Shoe, and and Swell'd in a moſt terrible manner, for they 'tis thought they Strangled her with a Rope, or her Garters which [illegible] her, the Child Lying by her at the ſame time having a piece of a Cake in its [illegible] which 'tis ſuppoſed theſe barbarous Villans had given her to keep her from Crying; upon which the Child was asked who had done that to her Mother, ſhe reply'd that her Uncles had done it, and had given her that Cake, to be ſtill without crying. What ſhould induce theſe Brethren in Evil to commit ſuch a barbarous and abominable Action is at preſent unknown; the moſt are of the Opinion, that they Murthered her to prevent the Payment of 60 L. which they ow'd her, it being to be paid the next day, Mrs. Gilder having heard her ſay that ſhe was to receive 60 L. of her Brothers the next day.

Licens'd according to Order.

London, Printed for and Sold by John Green, in Fleet-ſtreet, 1699.

# A TRUE RELATION

## Of a moſt Horrid Conſpiracy and Running away with the SHIP

# ADVENTURE,

Having on Board *Forty Thouſand Pieces of Eight*, and other Goods to a great Value.

Together with the Cruel and Barbarous leaving and turning aſhore upon the Iſland *Naias*, in the *Eaſt-Indies*, the Captain, and three Merchants which were Paſſengers, and Sixteen honeſt and able Seamen, Eight whereof miſerably periſhed by Hunger and Hardſhip, and but Four of the Remainder yet come to *England*.

*Together with ſome ſhort Account of what paſſed at the Trial and Condemnation of thoſe who Committed that Fact.*

THE Ship *Adventure*, of which *Thomas Gullock* was Commander and *Supra-Cargo*, bound to *Borneo* in *Eaſt-India*, broke ground from *Graves-End* on the 16*th* of *March* 169¾. and toucht at *Brava* one of the *Cape de Verdy* Iſlands, and having there got plenty of Refreſhment, Fowls, Hogs, Goats and green Trade, proceeded on their Voyage, and in the Month of *Auguſt* fell in with the Coaſt of *Sumatra*, went to *Padang* to get Refreſhment for the Ships Company, lay there five days, bought there four Bullocks, Fowls, Fruit, green Herbs, Potato's, *&c.* which was equally divided to the Ships Company, alſo about a Tun and half of Rice, and half a Butt of *Arack*, got one Boat-load of Water, and ſail'd thence; about 20 days after, being by calms and currents driven near *Naias*, an Iſland inhabited by a barbarous ſort of People who have no Commerce with any *Europeans*, came to an Anchor, the Captain order'd the Long boat on ſhoar with empty Cask to fill Water, under the charge of Mr. *William Hill* his ſecond Mate, with 24 Men well armed, with orders that if a Gale of Wind ſhould ſpring up, or that they ſhould ſee any Natives or tracks of them upon the Sand, then immediately to repair on Board without Water, being in no great want of it, but thought *that* the beſt uſe could be made of the time whilſt lying at an Anchor. After the Long-boat was put off, the Captain was in great perplexity leſt the Boats-crew might be deſtroyed by the barbarous Natives, therefore went on ſhoar himſelf in his Yaul after them, and ſtay'd at the watering place, being two or three hundred yards diſtant from the Boat, until Mr. *Hill* ſent him word the Water-cask were full; the Captain then ſent him orders to ſend the Long boat on board with fifteen Men; *Joſeph Bradiſh* Boatſwains mate deſired Mr. *Hill* to let him have the Yaul to tow the Long boat off from the ſhoar, which he agreed to, intending only the Security of the Boat, but they continued to tow much farther than neceſſary, and then caſt off the Tow-rope, laying the Yauls Head to the ſhoar, with only two Men as appear'd in her; when the Long boat was near the Ship, two Men more roſe out of the Yauls hull, and then with four Oars row'd directly on board the Ship, getting [illegible] on board together; then did *Joſeph Bradiſh*, *John Lloyd*, *Thomas Hughs* and others, ſeize Mr. *Abraham Parrots* the chief Mate, telling him he was their Priſoner, and the Ship and all that was in her was their own. He asked them what was the matter, and what they thought would be the end of it? They anſwered he need not trouble himſelf about that, they were for *A ſhort Life and a merry one.* The Conſpirators being immediately arm'd, made themſelves Maſters of the Ship, cut her Cable, looſed her Sails, and run away with her, leaving the Captain and 14 Men upon the ſaid Iſland, expoſed to inexpreſſiable Miſeries and Dangers, not only from the barbarous Natives, but Tygers and other wild Beaſts, *&c.* without any manner of Proviſions, Moneys or Cloaths, except the worſt, which they had on their backs, or any proſpect of returning to their Native Country, or indeed of ſo much as preſerving their Lives.

Soon after the Ship was under Sail, they turn'd the Yaul away, and in her five Men, viz. Mr. *Dru Hacker*, *Rex Kempton*, *George Reyner*, *Jona Brazley*, and *Francisco* an *Indian*, being ſuch as would not joyn with them in their Villainous Deſign, not giving them one Biſket Cake, or any Suſtenance, but refuſed to let them go to their own Cheſts to put on a Coat, Hat, or

 Shoes,

Shoes, inſomuch that three were turned aſhoar without Coats or Hats, and two without Shoes, and being forced to travel over ſharp Rocks, they, with others whoſe Shoes ſoon wore out, had their Feet torn and mangled, and bled in ſuch a miſerable manner, that they deſired to lye down and dye there, rather then to have gone on, if the Captain had not over perſwaded them.

The number left in this deplorable ſtate were 16 of their fellow Seamen, with the Commander and three Merchants, who, beſides the extream danger of periſhing there, were rob'd of what they had aboard, fruſtrated of the fruits of their Voyage, and their poor Wives and Children left to ſtarve at home. Eight have ſince periſhed by hunger and hardſhips, who, if they were preſent, would more livelily ſet out the horrid Cruelty of thoſe unmerciful Men who run away with the Ship, and left them in that miſerable and wretched Condition.

This diſtreſſed Company being thus left, without any thing to eat, did remain ſo from *Saturday* morning the 17*th* of *September* till *Thurſday* evening the 22*th*.

But tho' the Barbarity of their fellow Seamen left them in ſuch unſpeakable diſtreſs, yet it pleaſed God wonderfully to bring about Means for the Preſervation of a few of them to be Witneſſes of ſo horrid a Villany; for there happened to come two Boats to the ſaid Iſland, which the Captain did hire with the Promiſe of 500 Pieces of Eight to purſue his Ship, and was on *Munday* the 19*th* within 4 or 5 Miles of her, but by a ſudden Storm was forced aſhoar, and both thoſe Boats ſtaved to pieces, only himſelf with 5 Men in the Yaul eſcaped that Ship-wrack. But it pleaſed God none of them loſt their Lives, but all came by Land to a Creek or Cove, whither the Captain with much toil and difficulty got in the Yaul; the Number was now by theſe *Atchoeners* encreaſed to 42 Men, and no Boat or Veſſel but the Yaul, which could not carry in the Sea above Eight or Ten. The *Atchoeners* ſeem'd moſt afraid of the Natives, begging the Captain to ſtand by them, or elſe the Natives would either kill or make Slaves of him and them; for they ſaid there was a Boat of *Atcheen* which came there the Year before, the Men of which the Natives had knockt on the head, and hal'd the Boat up above High-water mark; this Boat was ſurvey'd and found much rent with the Sun, but that the *Malayers* undertook to ſtop, and did ſo, with Moſs, Bark, *&c.* whilſt the Captain took care to get the Sail and ſome other things of one of the wrack'd Boats, and did Launch her that day, (tho' whilſt they were about it they were attack'd by 200 of the Natives, all arm'd with Swords, Targets, and Launces, who made a fierce onſet, but by firing Twelve or Fourteen ſhot were put to flight) and with her and the Yaul got off to ſmall Iſlands call'd *Marcos*, where they got ſome Coker Nuts, and from a Boat they met at thoſe Iſlands got ſome Rice which had been wet with Salt-water in the ſame Storm when the two Boats were loſt, and was heated and ſtank abominably, but was eaten heartily: This Boat pretended to belong to *Padang*, ſo that the Captain agreed with the Maſter for tranſport to *Padang*, giving the launch'd Boat to the *Acheeners* in lieu of their two Boats, which was all the Recompence he could then poſſibly make them. Going with this Boat toward *Sumatra* they were chaſed with a *Malaya* Pirate, who came up with them, but ſeeing them ſtand to their Arms bore up round, and ſtood away without one word. Coming near *Priaman* there is a Shoal upon which the *Malayar* ran his Boat; and when the Boat was on ground, the *Engliſh-men* all leapt over Board to go to a dry Spot not far diſtant, but many had like to have been drown'd by holes in the Rocks, which dipt them over head and ears, but others who could Swim aſſiſted and got them ſafe to the dry Spot. The Captain went on ſhoar with the Yaul, and begg'd the Aſſiſtance of the *Dutch* Corporal, who ſent a Boat with Natives, which brought the Men all off from that Spot, which not long after was overflown with the Tide, otherwiſe they muſt have been drowned; for the *Malayar*, after they jumpt out, got his Boat off, and went away without ſtaying to expect his Freight, for what reaſon we know not. Two days after they went to *Padang*, where being ill treated, and labouring under great Want and Sickneſs, three ſoon died there. But it pleaſed God to raiſe them up there a Friend indeed, Mr. *Antony Gillis* a Native of *India*, who pitied their Miſeries, relieved their Wants, and (under God) ſaved their Lives; whoſe inexpreſſible and almoſt inimitable Charity, extended to the Dead and Living, ſhrowding the one, and ſuccouring the other, which is here mention'd to his honour, and in gratitude to him.

The remaining part of this diſtreſſed Company got their Paſſage to *Bencooken*, whereof one died by the way, and ſome remain'd there, of which three more ſoon died, and it is to be fear'd ſeveral of the reſt which ſtaid there are ſince dead, for only ſix of the Company proceeded to *Batavia*, where, after a languiſhing Sickneſs, died one more, *viz. George Rayner*, from which place the Commander and three more got paſſage to *England*.

The foregoing Account is given, not only by the Commander and poor ſurviving Seamen, but was (long before the taking of any of the wicked Crew who run away with the Ship) written from *Padang* in a Letter to the Owners by Mr. *Robert Anby* and Mr. *Ralph Peck*, two Gentlemen, who, with ſome others, were to have ſtaid at *Borneo* to have ſettled a Factory; which Letters, with two others from Mr. *Nixon* and Mr. *Parrot* at *Batavia*, may be ſeen at Mr. *Crowches* a Bookſeller at the Corner of *Popes head-Alley* in *Cornhill*, out of which, for Vindication of the Commander from the baſe and unjuſt Aſperſions of his ill uſage of the Seamen, the Owners have permitted the following Paragraphs to be printed with this Narrative.

NOW

*NOW, honoured Sirs, we humbly crave your leave to do our worthy Captain Juſtice, by acquainting you of his particular care of the Ships Company, in reſpect to the health both of their Souls and Bodies; we never failed of Morning and Evening Prayers in publick upon the Quarter Deck, when the Weather would permit, our Commander daily endeavouring to ſuppreſs all manner of Vice, and to encourage Vertue. As to the health of their Bodies, he was as tender as a Mother to any that were ſick, daily minding the Doctor of his charge; and when he had freſh Proviſions at his own Table, would ask the Doctor who was ſick, and always ſent them ſome. Thoſe that were in health he endeavoured to keep ſo, by refreſhing twice or thrice a day in bad weather with Drams. In fine, God Almighty knows our hearts that we ſpeak the truth; he is the moſt religious, ſober, careful and kind Commander that we knew or heard of ever.*

Robert Anby.

*Padang* the Twenty Third of *October*, 1698. Old Style. Ralph Peck.

Mr. *Samuel Nixen* Chirurgeon, in his Letter to the Owners from *Batavia, Nov. 27th.* 1698. writes thus:

*I Do declare that I never ſaw in any of his Majeſty's Ships, or any other where I have been, better Victuals or Victualling, nor never ſo much care taken, nor kindneſs ſhewn, both toward Soul and Body, as was by the Commander, both to well and ſick; for tho' it pleaſed God to bleſs us with ſo healthful a Paſſage, that we never had any Man lay down three days together, yet hath the Captain often circumvented me in ſending Broth or other freſh Proviſions to ſick Men from his own Table, and hath ſundry times ordered Fowls to be kill'd expreſly for them only, and hath alſo ſeveral times in the Voyage given of his Fowls to the whole Ships Company, and never kill'd a Hogg, but a great part was given them; and the ſame by his Parſnips, Carrots, Pumkins, &c. allowing for the ſick Men Water gruel with Fruit, Sugar and Spice, ſuch as I thought fit. Inſomuch that I am ready to give Oath, I have heard them ſay ſundry times, that they never ſaw ſo good Victualling, nor a Commander ſo kind and careful of his Men.*

*Alſo he ſo husbanded the Brandy allowed for them that they had Drams always when wet, and at the turning out of the Watches. And the Ships Company drank all Beer until near the Southern Tropick, and to the Eaſtward of the Cape, and then Beer and Water to the very laſt, giving the Seamen ſometimes ſtrong Beer. As for Abuſes I never ſaw any or leſs ſtriking in any Ship where I have been, the whole amounting to the puniſhment of four or five Perſons, and that for great Faults, as Thievery, &c.*

Mr. *Abraham Parrott* Chief-mate, in his Letter to the Owners, gives the ſame account of *Victualling and Puniſhments, &c.* adding, *That after the Seiſure of the Ship it was freely diſcourſt,* William Griffeth *the Trumpeter had taken upon him to have ſhot the Captain.*

*And now to return,* to give ſome Account of the procedure of thoſe who ran away with the Ship, taken from Three who by force were with them the whole Voyage, and gave Evidence upon Oath thereof, at their Tryal, *viz. John Weſtby, Robert Amſden,* and *William Saunders*; the Captain only giving Evidence that the Priſoners were aboard the Ship when it was run away withal.

After they had ſeiſed the Ship, and turned aſhoar the five Perſons before-mentioned, they ſailed about 50 Leagues to Sea from the Iſland, and then turn'd away in the Long Boat Mr. *Abraham Parrott* the Chief Mate, *William Whiteſides* the Boatſwain, and *Richard Heath* Armourer*, to each of whom they gave a Certificate in the following words; the Original whereof was produced and ſworn to in Court, *viz.*

*Septemb.* 21. 1698.

*NOT willing to venture our ſelves near any Factory, and unwilling to keep any to breed Faction among us, have turned to Sea in the Long-Boat all ſuch as were not willing to ſtay, except* John Weſtby *to act as Chirurgeon,* and *Robert Amſden* Carpenter, Servant, *which two* per *force we keep; the others,* viz. Abraham Parrott, William Whiteſides, *and* Richard Heath *we forced away detaining likewiſe* William Saunders.

*Joſeph Bradiſh.* } { *John Peirce.*
*John Lloyd.* } { *Andrew Marten.*

*Note, These 3 poor Creatures were 23 days at Sea, and had there periſh'd if they had not by accident met a Dutch Ship bound to *Batavia*, who carried them thither.

This being done, they began to divide the Clothes and Moneys of thoſe whom they had ſo left and turn'd aſhoar, and ſome time after divided the Pieces of Eight belonging to the Owners, weighing to each Man his Proportion by the Stillyards, which came to about Fifteen hundred Pieces of Eight a Man.

When they came near the Coaſt of *New-England* they agreed to deſtroy all the Journals and Writings aboard, which they did by putting them into a Bagg, and ſinking them with Shot, ſaying, *They ſhould not riſe up againſt them.*

After this, near to *Block-Iſland*, they diſperſt themſelves into ſeveral Sloops, taking with them their Moneys, *&c.* and were not contented with that, but fired five Guns through the Ships bottom, and ſunk her in deep Water, with the Cloath, Lead, Iron, and other Commodities aboard; all which, as well as the Ship, were thereby irrecoverably loſt.

Notwithſtanding their ſeparating themſelves into ſeveral diſtant Parts, *Divine Juſtice* has purſued them, and they have all been taken but one, who is ſuppos'd to be kill'd, and were brought to their Trial on the 21*ſt* of *June* laſt at the *Old-Baily*, where what they ſaid for themſelves, as to the Matter of Fact, was frivolous and inconſiſtent, but endeavoured to extenuate their Crime by charging the Commander with Severity and Ill uſage, from which the Court was pleaſed

pleaſed to give the Commander an opportunity to vindicate himſelf, which he did upon *Oath* in the manner following, to the Satisfaction of the Court? *Viz.*

That he was ſorry to ſee ſo many Men ſo remorſleſs, as to endeavour the excuſing one Villany by committing another, as not content to have rob'd him of his Ship and Cargo, expos'd himſelf and 19 more to thoſe inexpreſſible Hardſhips and Miſeries, whereby the King loſt eight of his Subjects by untimely death, and no more than three beſides himſelf return'd to *England*, of the 20 left on ſhoar,) but farther endeavoured to Murther his Reputation with moſt unjuſt, and baſe Aſperſions. As for the Victualling of his Ship, he ſaid, that on *Sundays*, *Tueſdays* and *Thurſdays* they had every Meſs a piece of good Beef and a Pudding of two pound and a half of Flower with ½ of Suet, beſides Butter or Cheeſe for Breakfaſt. That on *Mondays* and *Fridays* they had Pork and Peaſe, with Breakfaſt as before: On *Wedneſdays* and *Saturdays* Fiſh and Burgoo; and they had Burgoo for Breakfaſt, with Butter and Sugar, on thoſe days. That they had three Cans of Beer a Meſs every day till far beyond the *Cape of good Hope*, and after that two Cans of good Beer and Water; and when they drank Water, there was a Cask with a Scuttle or Hole cut at the Bung enough to put a Cup in and drink when they pleas'd, laſh'd faſt to the Main-maſt upon the Main-deck, fill'd as often as there was occaſion. Alſo that they had 28 pound of Bread *per* Week every Meſs, until *John Lloyd* deſired the Captain to let him put two bags of Bread about 50 pound each, (which his Meſs alone had ſaved out of their Allowance) into the Bread-room, which was done accordingly. That then they were at no Allowance for a Fortnight or three Weeks, but had the Bread in an open Cask in the Steerage, to eat when and what they pleas'd, until they left it greaſie up and down where they eat, and then 'twas retrencht to 25 pound *per* Week every Meſs, and never leſs by his order or knowledge. Alſo that they had Drams Morning and Evening when fair, and as often as the Watches was chang'd when wet, never letting them go to their Hamocks wet without a Dram, to be ſure of which he did not ſuffer the Steward to give it them below, but conſtantly his own Servant at his Round houſe door. Alſo that every Meſs had on *Sundays* a Can of ſtrong Beer; and when about the *Cape* in cold raw weather, they have often had, both Morning and Evening, Burgoo, and ſometimes Fowls for the whole Ships Company, with a very particular regard to all ſick Men.

The ſame Account *John Weſtby*, *Robert Amſdem*, and *William Saunders upon Oath* confirm'd; except that Mr. *Weſtby* and *Amſden* ſaid, they once heard or ſaw that one Meſs had but Sixteen pound of Bread one Week, which the Captain ſaid he never heard any Complaint of, for if he had, he ſhould have as readily redreſt it as he did the only Complaint was ever made him of Victuals, which was by *William Griffeth*, who brought him a piece of Pork very ſmall, which he order'd his Servant to take from him, and give *Griffeth* a piece from his own Table in exchange for it; the truth of which was confirm'd by the Witneſſes, and cannot be deny'd by the Priſoners themſelves, unleſs they will run the hazard of going from Man's Judgment to the moſt tremendous and eternal Judgment of God with guilt.

As for Chaſtiſement, he did acknowledge that *Ham Edgell* and *Wetherell* had been puniſhed; *Edgell* becauſe that he being a Quarter-Maſter, working in the *Lazaretta*, did break open a Box, and ſtole about a dozen pound of white Suger; the next day the Captain demanded at once all Keys of Cheſts, and did find the Sugar in his Cheſt: which Felony he thought fit publickly to puniſh, eſpecially in him, who being a Quarter-Maſter, might have the opportunity of the ſame Fact in Goods of far greater value, and that it might prove exemplary to the whole Ships Company.

*Edward Ham* purely for the welfare of thoſe who complain againſt it, becauſe that he after many checks, and ſome blows, continued naſty to that degree, that upon a complaint of the copperiſhneſs of the Peaſe, the Captain himſelf went into the Cook-room, and took off the ſides of the Copper a great quantity of Verdigreeſe, for which the Captain beat him with a Japan Cane, but not to that degree as at all to wound or break his Skin, as the Chirurgeon's Mate, Mr. *Weſtby* confirmed upon Oath. And *Witherell* was beaten for ſtriking the Boatſwain of the Ship. And if Correction in ſuch Caſes be not uſed aboard Ships, no order can be maintain'd, but all would run into Confuſion.

And theſe very Men themſelves, ſometime after Seiſure of the Ship, did ſeiſe the ſame *Edward Ham* to the Gang-way, and ſeverely beat him for the ſame Crime.

The Names of the Priſoners which were Condemned, were *Joſeph Bradiſh*, *John Lloyd*, *Thomas Hughs*, *Ellmore Clarke*, *Edward Ham*, *Thomas Dean*, *William Griffeth*, *Robert Maſon*, *Thomas Edgell*, *Francis Read*, *Cornelius Larking*, *Thomas Simpſon*, *Tee Wetherell*, *Robert Knox*, *Thomas Davis*, *Andrew Marten*, *Rowland Marten*, *John Peirce*.

The Names of thoſe left on ſhoar, Capt. *Thomas Gulleck*, Mr. *Robert Anby*, Mr. *Ralph Peck*, Mr. *Drew Hacker*, *Edward Watts*, *Rex Kempton*, *George Reyner*, *Jonas Grizley*, *William Hill*, *Samuel Nixon*, *John Baker*, *John Hire*, *Daniel Gravier*, *Henry Barnet*, *Giles Brown*, *Thomas Barrow*, *John Templer*, one Frenchman, and one Dutchman.

Names of the Dead are *Rex Kempton*, *Henry Barnet*, *Giles Brown*, *Daniel Gravier*, *Robert Anby*, *Ralph Peck*, *Edward Watts*, *George Reyner*.

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AN

# ELEGY

On the DEATH of Mr. *WILLIAM SHERWOOD*, Victu
at the Sign of the *Lyon* and *Ball* in *Red-Lyon-street*, who after having lain for some time in State
Buried at St. *Andrews*, *Holborn*, on *Tuesday* the 22d Instant, his Corps be Attended by 300 Persons, b
several Files of Granadeers, of he was Lieutenant.

AT last our Hopes are fled, and he's departed,
And leaves us Fadling Sinners broken hearted,
To think how Death could take delight in Bauking
The bold Designs of *Honourable Chalking*;
Who now shall set young Lawyers Clerks a roaring,
And countenance the Noble Art of Scoring?
Who shall instruct the Soldiers in procedure,
And dare to give Cross words to Grim File-Leader,
Who Cloath'd in Buff, disdains Reproof, and scorns,
To use his Gun, since he can use his Horns?
Ah *Sherwood*, to thy great Examples owing
That *Scots* are skill'd in Drink, and *Warriors* knowing,
That Bars are render'd White by Midnight debtors
And many a *Mans* is *Book'd* in *Ample Letters*?
And should thy vertues want to be recorded,
Thy Transcendent Worth be unrewarded,
How would this Thankless Age be call'd Ungrateful,
And hearty Soakers go without their Pate-full?
*High* were thy Thoughts, and *Soaring* thy Designs
Above thy Station and above our Lines.
Thy Mind as *frothy* as thy *Nut-brag Ale*
But *Sour* thy *Temper* like thy *Beer* when *Stale*;
Yet thou hadst Vertues, and couldst rarely Nick it.
When thou vouchrafst thy self to turn the Spicket;
And being gracious, eas'd to let the Tap run,
Quitting thy glorious *Sash* for foul Blew *Apron*:
Witness the many *Pots* of *Purle* I've seen,
Drawn by thy Hands, most *nicely dash'd*, and clean;
And potent Mugs of powerful Ale and Beer,
*Frothing* at Top, as if thy *Mind* was there.
But I do wrong to this departed Ghost,
In treating him, as if a Common Host.
His Frowns Command, and charge me to forbear;
And lose the *Victler* in the *Man of War*.
Methinks I see him on a Muster-day,
Dress'd like a Hero, Fanciful and Gay;
The Face well Scour'd with Soap, and by his side,
There stands the price of Majesty his *Bride*,
Who puts his Ruffles into Pleits, and dresses
Her Charming Spouse with thousand soft Caresses,
As his proud Soul contemplates his Condition,
And thanks *Short-Pots* for getting his *Commission*;
Whilst he gives Drink for Name of *Noble Captain*,
Perceiving not the snares which he is trapt in.
Awful he looks, and dreadful to the Sight,
And mediates the pleasures of the Fight;
Which stead of Dangers, and of hateful *Bullets*,
Presents him with *Roast-Beef*, and Legs of *Pullets*.
But why alass! Am I thus long deceiv'd?
And fancie life in one of Life bereav'd?
Yonder He lies, and breathless is his Carcass
Damn't, I could almost Swear, 'tis such a hard Case.
Behold the Champion, who when living durst
Fight to appease his Hunger and his Thirst,
In Bloodless Battles, and in harmless Broils,
Employ'd his Labours, and pursu'd his Soils;
Now Moulder into Ashes, and decline
Speechless, as is the *Lyon* on his *Sign*.
O Death! What mischief did e're *Sherwood* do thee
Though He *Kill'd* none, his *Liquors* sent 'em to thee;
His *Punch*, his *Brandy*, and his Hearth-ish *Spirits*
Might have attron'd for his default of Merrits,
Since *Carbuncled Offenders* come by cotes
And own the Conquest of his darn'd *All-fours*;
As they with *glancing Pimplee* on their Faces
*Illuminate* thy dark and loathsome places.
But I in vain my sighs and tears have spent,
And fruitless vows for *Sherwood* upwards sent,
Sighs are in vain, unless their cause was juster,
He'll ne're return again to go to Muster:
And fearless of Abuses or of Slander
Will shew himself a terrible Commander.
Yet Heavens be prais'd, that though the Tapster's gon
The taps are still in use, and Spickets run,
That the blest *Cellar* which H'has left, produces
Good wholesome *Liquors*, and Cælestial *Juices*,
To comfort those who such a *Loss* survive;
*Happy* in Life, if those but keep *alive*.

## EPITAPH

BEneath this silent Stone there lies
*An insolent House-holder*,
*Who living followed two Employs*,
*A Victtuller and a Soldier*,
*The first Employment swell'd his purse*,
*The last puft up his Mind*,
*Which of the two's the greatest Curse*
*E'en let the Readers find*,
*His Wealth, that purchas'd him his Pride*,
*His Pride got a Commission*
*But what that got we can't decide*,
*Who know not his Condition*.
*He's dead and that's enought acquaint*
*A Man of any sense*,
*That if He's looking for a Saint*
*He must go farther hence*.
*Short Pots you know and under siz'd*
*May chance to get Estates*
*But never make us Canonit'd*,
*Or open Heavens Gates*.
*A Tawdry Sash may also shew*
*The Post a Man inherits*,
*But Reader neither I nor you*
*Can swear that Man has Merits*.
*What e're he was*, 'tis all the same
*To me who am a Writing*;
*You give him but a Sinners Name*,
*I'll swear his Sin was Fighting*.

FINIS

LONDON: Printed for *A. B.* near *Chancery-Lane*, 1699

# A Hue and Cry

## After *Edward Kerby*, a Stone-Cutter, and his Wife *Margaret* with their two Sons *Joseph* and *Benjamine Kerby*.

Being a Full and True Account of the wicked Robbery committed near St. Giles's Church, on *Saturday* last, at a Joyners House in *Plumb-tree-street*, having first Robbed the House of all the Movable Goods, set it afterwards on Fire.

AT a Joyners House in *Plum-Tree Street*, in St. *Giles's* in the *Fields*, Lodged one Mr. *Kerby* a Stone-Cutter and his Wife, with their Two Sons; He being a Man of good Business, was wont often to have Work in the Country, where he would stay commonly all the Week, and come home again only on *Saturday* Nights, and so begon again on *Monday* Morning following; but his Wife being an Extravagant Woman, would spend all that she could get; insomuch that in her Husband's absence at any time, she would Pawn all her Cloaths, and run him to needless charges, which the poor Man seeing that if she did not speedily take up from her Wicked and Extravagant Course of Life, she would soon cause his Ruin; which made him often warn her, but he finding it to no purpose and all in vain, which obstinency in her, was the cause that he could not bear that Affection towards her as he was wont to; which her Landlady perceiving, yet knowing the cause, she could not greatly affect her Wicked Deeds, and so took little or no notice to him of it, any further than that she would have him stay a little longer with her, to see whether she would amend or no, which he promised she would.

But on *Saturday* Night last, being the 13th of this Instant *April*, 1700. her Husband as he pretended to, having an occasion to go to *Barnet*, as she told her Landlady, who did not in the least mistrust either him or her, but that he was gone to Work as he used to do; but whether it was so or no we cannot tell for certainty: but his wicked Wife Mrs. *Kerby* not forgetting her wicked Practices, took the oppertunity when her Landlord and his Wife was gone to Bed on *Saturday* Night last, which was between Twelve and One of the Clock, as having occasion to sit up later that Night than they were wont to do; and before they were got to Sleep, they heard a great rumbling sort of noise in Mrs. *Kirby's* Room, but thinking that she was a cleaning it, they went both to Sleep, in which time she had conveyed away all the moveable and Household Goods that she could come at in the Room where she lay, leaving nothing but the Rug and Bed; then she came down stairs with a lighted Candle in her Hand, which she set against the Wainscot going down the Sellar-stairs, on purpose to Fire the House, that she might the better come off with the things she had conveyed away. But before they had lain an Hour, they were awaked out of their Sleeps, by the scorching Heat and fierce Flames of the Fire, which had encompassed them in, and broken into the Chamber where they lay, which so Astonished and Affrighted them that they knew not which way to go, by reason that he did see Fire both above and below too; which he seeing, was resolved to go down Stairs, at that he snatched up his Britches, having within Two Guineas and the rest in Silver, to the value of 3 Pounds, which he threw out of the Window, and afterwards run down Stairs through the Fire, which was so fierce that it burned the Hair of his Head. And opening the Street-door to cry out for help, found his Britches with the Money taken out and laid down again: but before he could get any considerable help, he met on the Stairs his Lodger Mrs *Kirby*, who told him, that she had throw'd the Bolster of the Bed out of the Window: Then he told her that he believed she had done this Wicked fact; and saying, that he would make her find out the other Bolster which they missed before then, with many other things.

By this time their Neighbours came to his help and assistance to quence the Fire, which if it had gone on but a little longer, it had for certain been a dreadful one indeed; but the Fire being carefully put out, and all the bussel over, Mrs. *Kirby* with her two Twin Sons about 10 Years of Age, went to lie down on the Bed in their Chamber till about 4 of the Clock on *Sunday* Morning, she came down and went away, leaving her two Sons behind, who followed after, and has not been seen since. Therefore who can bring them to Judgment, they shall be well requited.

Discription of *Edward Kirby*, a Lusty short Man, with a fresh coloured Face, thick Lip, wearing sad coloured Cloaths, and his own Hair. Margaret *Kerby* his Wife, having a thin Face with a long Nose, middle sized, wearing a Redding coloured Gown, being accompanied with her two Two Sons *Joseph* and *Benjamin*.

*Licensed according to Order.*

LONDON: Printed for *Robert Thompson* in *Holborn*, 1700.

L: 28 4,

*Whereas there has been unjuſt and malicious Reflections caſt upon the undermention'd* William Collet, *in Relation to the late Fire that hapned in his Houſe: Theſe Depoſitions (by the Advice of Friends) are made publick to undeceive thoſe that have liſten'd to thoſe falſe Inſinuations, and that the whole Truth might more plainly appear.*

# THE DEPOSITIONS

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OF

*William Collet*, Tallow-Chandler, *Mary* his Wife, *Joſeph Larke* his Journy-man, *Ann Larke* Wife of the ſaid *Joſeph*, *Francis Read* and *John Siſum* his Apprentices, *Mary Selby* his Maid Servant, *Lewis Picket* and *Thomas Allen*, Lodgers in his Houſe, and *Robert Parker* a Watchman, taken an Oath before me *Richard Rider* Eſq; One of his Majeſty's Juſtices of the Peace for the County of *Middleſex*, and Liberty of the City of *Weſtminſter*, this Seven and Twentieth Day of *April*, *Anno Dom.* 1700.

In Relation to the late Fire which began and hapned in the late Dwelling-Houſe of the ſaid *William Collet*, late ſtanding at the end of *Newport-Street*, in the Pariſh of St. *Ann*, *Weſtminſter*, in the County aforeſaid.

THE ſaid *William Collet*, *Joſeph Lark*, *Francis Read* and *John Siſum*, ſeverally each of them on their Corporal Oaths do Averr and Say, That on *Wedneſday* the Seventeenth of *April* Inſtant, abovewritten, being the Day next before that Night and Morning in which the ſaid Fire happen'd, they the ſaid Deponents did ariſe from their Beds at Six of the Clock in the Morning, in order to melt Tallow to make Candles, and did Work that day until Ten of the Clock at Night, and then left work, at which time they, or ſome of them, did put out all the Fire under the Coppers, and the Tallow then melted (ſo far as it could be) was all uſed up: And that the Tallow uſed that day was only melted down, and did not Boil or Run over: And that between Eleven and Twelve of the Clock at Night they, theſe Deponents, were all in Bed, And that none of them, or any Perſon elſe, to their knowledge, did lye in the Shop of the ſaid Houſe that Night: And that they did not Boil Tallow at any time but on *Friday* Nights, and Sit up on that Occaſion, or in Buſineſs, none but thoſe Nights: And that to their knowledge, or belief, there was no Holes, or Cracks, in the Coppers they uſed, nor was any Notice given to them by any Perſon whatſoever of any ſuch Holes or Cracks, or Suſpicion thereof; and that (altho' amongſt divers other untrue Allegations) it is reported, a Fire was like to happen in the ſaid Houſe on *Sunday* night then before, and at other times, theſe Deponents do all of them ſay, There was not any ſuch Fire like to happen on *Sunday* aforeſaid, or at any time before, as they know or have heard, (ſaving that about Seven Years ſince, and once before that the Chimnies of the ſaid Houſe hapned to be on fire.)

AND the ſaid Deponents *William Collet*, *Joſeph Larke*, and *Francis Read*, do further ſay, That after an Out-cry of Fire was, they did ariſe from their Beds, come down Stairs, and ſee the Shop on Fire, but no Fire in the Cellar of the ſaid Houſe.

AND the ſaid *Mary*, the Wife of the ſaid *William Collet*, and *Mary Selby* the Maid Servant, do ſeverally on Oath ſay, That it was paſt Twelve of the Clock that Night or Morning, which the ſaid Fire hapned, before they went to their Beds, and at that time did not ſee or ſmell any Fire, or Token thereof.

AND the ſaid *Ann*, Wife of the ſaid *Thomas Larke*, and *Lewis Pickett*, and *Thomas Allen*, do on their Oath ſeverally ſay, That they, nor any of them, did not at any time heretofore, ſee, hear, or know the ſaid Houſe likely to be on Fire, (ſaving the Chimney hereof aforeſaid.)

AND the ſaid *Thomas Parker* the Watchman, on his Corporal Oath ſaith, That he cry'd the Hour of Two in the Morning, before the ſaid Houſe, and did not ſee no appearance of Fire therein; and that when he perceived the Fire, and was let into the Houſe, the Shop thereof was on Fire, and no other part thereof as he could ſee.

AND all the Deponents aboveſaid, do ſeveral Averr, and ſay, on Oath, That they knew not by what ways or means the ſaid Fire did happen; and further ſay not. Witneſs their Hands the Day and Year above Written.

*Jurat per Omn. coram me die & Anno Supra-ſcript.*

*Richard Rider.*

*William Collett,*
*Mary Collett,*
*Joſeph Larke,*
*Ann Larke,*
*Francis Read,*
*John Siſum,*
*Mary Selby,*
*Lewis Pickett,*
*Thomas Allen,*
*and Robert Parker.*

A strange Discovery, of a most horrid and wicked Design

# Of Three Score House-Breakers,

*To Fire several Houses near* Aldgate, *with intent to Robb and Plunder them; with the manner, how it was miraculously Discovered by a Letter to Mr.* Cradock *a* Grocer *without* Aldgate, *from an unknown Hand; with the Apprehending and taking of* Charles Conger *and* John Jones, *upon the same account; their Examination, and Committment to* Newgate *on* Monday *last.*

To which is added,

*An account of a notorious Robbery, and barbarous Murther, Committed by 5 Highway Men at* Maiden-head thicket How they Robb'd 3 Coaches, *Kill'd a Collonells Man, and Carry'd off above* 100 l. *in Money besides Watches, Rings,* &c.

MR *Cradock* an Eminent Wholesale *Grocer*, near the Three *Nuns* without *Aldgate*, received a Letter last Week from an unknown Hand, signifying that about Three Score Persons had lately entered into a wicked confederacy and Resolution, to set several Houses on fire; and during the fury of the Flames, they were (under pretence of quenching the Fire) to Robb, Plunder and Carry away what was most valuable; and that particularly they design'd to begin with his House first, being sencible he had good store of Cash, and his House to strong to be Rob'd any other ways; having attempted lately to Break it open, but were obstructed by the strength of the Bolts within side. Mr. *Cradock* was surprized at the contents of the Letter, and the rather because the Author of it gave such an exact discription of the strength of his House within, and of the Attempt that had been made to Robb him, all which he knew to be true: And further the unknown Author, insisted that he was one of that notorious Gang himself, and had promised to engage in the aforesaid Villany; but now his Conscience troubled him, to think of Burning innocent People in their Beds, insomuch that he could not rest till he had declared by a Letter, the aforesaid hellish Designs and Resolutions. Upon which Mr. *Cradock* communicated the Letter to his Neighbours: who with the consent of the rest of the Parish thought fit to appoint Twenty Men to keep strict VVatch thereabouts; Nightly, to prevent the dreadful Consequences, that might unhappily be occasion'd by any such wicked Action: And since delligent Search has been made in all suspitious Houses, in order to discover any unlawful Club or Society of Persons, whose Conversation might render them suspected of such a horrid Villany, insomuch that, one *Charles Conger*, who has been an old Offender, and suspected to have been concern'd in the Attempt of Fireing Dr *Sloanes* House in *Bloomsbury*, was taken into Custody on suspition, as was also one *John Jones* a Bailiff, upon the same account, being both taken in a suspitious House; whereupon they were both carry'd before the Right Honourable the Lord Mayor on *Monday* last, where his Lordship Examin'd them apart, and not giving that account of themselves as was requisite, and being found in several contradictious Arguments, which rendered them suspected, *Conger* was thereupon Committed to *Newgate*, and *Jones* to the *Compter*, where they are to remain till the next approaching Sessions, in order to be Tryed for the aforesaid abominable Crime.

I had not Published this Narrative, but to put honest and unthinking People in mind of the great Danger they may be in, from several dreadful Accidents that may happen; especially this of Fire, in the Night time, for tho' we go to Bed at Night, in Health and seeming Security; yet perhaps before the next Morning we may be reduced to Ashes; a terrible and lamentable Instance, we lately had in the unhappy and much lamented fate of the Lady *Aisby*, who was burnt to Death in *Red-Lyon-Square*, and as some say, by the meanes of notorious Theives who set it on Fire, in order to Plunder and Robb it; as was the design of these notorious Villains. Therefore let us make this Improvment of the aforesaid intended Design; as to amend our Lives and repent of our Sins, and then whether we Sleep or VVake, we may be prepared to Encounter with the greatest and suddenest Accidden that can befal us.

## *An Account of a notorious Robbery and Murther,* &c.

ON *Monday* last 3 Stage Coaches belonging to *Bath* and *Bristol*, going from *London*; were met at *Maiden-Head* thicket, about 9 a Clock in the Morning, by 5 Highway Men who seeing several Passingers therein seemingly Wealthy; they stop'd the Coach in a narrow Lane, and drawing their Swords and Pistols, Commanded them to deliver their Money, which the Passingers in 2 Coaches did accordingly, not thinking it advisible to make any Resistance, in regard the *Theives* were so well Armed and Mounted; But coming to the last Coach wherein was a Collonel, he not only refused to deliver his Money, but rashly, rather than wisely, bid his Man Fire at them; who in obedience to his Masters Command, did Fire accordingly, tho without any other effect than Enraging the *Theives*; for one of them immediatly told him if he was for rough Game, he should have it, and thereupon shot him into the Belly; but seeing he did not fall presently, he shot him a Second time, with another Pistol into the Breast, of which Wound he drop'd down Dead on the place, without speaking a Word: after which the Higway Men Plunder'd the said Collonel, taking from him his Watch, 40 Guineas and 5 l in Silver, threatning to shout him also: but upon his Submission they sav'd his Life, telling him they were sorry for the death of his Man, assuring him that it was against their inclinations to shed any Blood, if they could any way avoid it: So after they had cut the Coach Harnets in pices, and took what Rings, Watches, and Money they could find in all the 3 Coaches which amounted in all to the value of about 100 l. they set Spurs to their Horses and Rod with all the speed imaginable towards *London*: After *whom* hue-and-crys are sent, in order for their Apprehension, but as yet we do not hear of their being discovered.

*LONDON*, Printed for *John Knapper*, near *Aldgate*, 1700.

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# AN ACCOUNT OF A Bold Desperate and Notorious Robbery,

*Committed on* Monday *Morning last, in His Majesties* Exchequer *at* Westminster. Particularly.

How several strong Doors, Locks, Chests, and Desks were forced open; with an Account of the quantity of Money that the Thieves carry'd off, and how strangly they made their Escape, with other remarkable Circumstances.

NOtwithstanding, the great care of Magistrates of this great and Populous City, in putting the Laws in Execution against Felons, House breakers and such Notorious Offenders, and the Terrible Examples of Justice, almost every month of the Year upon such Criminals, paying no less then the Price of their Blood for such Lawless, Violent and Irregular undertakings: Yet such is the growth of Vice and Villany, that no attempt tho' never so Odious, Daring and Presumptious, but still it is put in practice, as this Notorious Action following sufficiently Demonstrate.

On Monday Morning last, His Majesties *Exchequer* Door was found broke open, the Lock being shatred in pieces, done (as 'tis supposed) by a Betty as they call it, which by its violence forces open all that stands in its way, tho' it be but a small thing in substance. The tellers Office within, was also broke open in the same manner, with all the Desks and Chests except one, in which was above 600 *l.* in Gold and Silver, it being so strongly plated with Iron Barrs and great Nails, that they could not force it, though several attempts had been made upon it, as appears by some Nails and Splinters of Wood that are forced off from it in several places, so that 'tis thought, some Notorious Persons had secretly conveyed themselves into the said Office on Saturday Night, and while the Clerks were busy in dispatching business, one or more of them crept under the Table, concealing themselves till the Office was shut up, and then fell to Plundering, but as good luck would have it, (tho' at other times great quantities of Monies were laid in the said Desks they had broke open) yet that Evening they all were clear'd except one wherein was about Threescore Pound, which the Thieves took away, being all that they obtain'd, notwithstanding this bold and dareing attempt, by exposing themselves to such a manifest and Dangerous Hazard, tho' 'tis generally supposed that there was a considerable confederacy in this rash undertaking and the reather because so many pernitious Instruments were found, as Betties, Saws, Chissels, little Crows of Iron, &c. all at the further Door of *Westminster Hall*, through which they made their escape into *Old Pallace Yard*, by forcing the Lock of the Door (tho' seemingly invncible) all to pieces, so that had not they been disturb'd, or at least under some apprehension of fear, those Tools had been sufficient to have forced open what Chests or Doors they pleased; and consequently have gone off with as much more Richer Booty than they did, there being not above 60 *l* lost out of the whole Office. Several Persons were Yesterday taken up and Examin'd about it, but as yet no discovery can be made of the Authors of this Robbery: However to prevent the like attempt for the future, Carpenters are ordered to Nail Boards round about the Table Frames, to hinder any Person from concealing themselves under it, and the outward Doors also will suddainly be strengthened & repaired, with new Bolts, Barrs, &c.

Printed for *J. Kingston, in the Strand.*

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A further and more Particular ACCOUNT

OF THE

# Barbarous Murther,

OF

# PHILIP PARRY, Esq;

Committed by

## Mr. THOMAS BOND,

Near *Covent Garden*, on *Friday* Night last, being the 15*th*. of *March* 1700.

*AS ALLSO,*

How the Coroners Inquest brought it in willful Murther, on *Saturday* last and of Mr. *Thomas Vaughns* being Committed to *Newgate*, for being Accessary to the said Murther, and of his own Son being set at Liberty

ON *Friday* Night, being the 15*th*. of this Instant *March* 1700. *Philip Parry*, Esq; who lived in *Lincolns-Inn-Fields*, near the little *Turn-Stile*, Drinking at the *Rose Tavern* in *Bridges Street*, near the *King's-Play-House*, in company of his own Son, Two of his Sons in Law, and one Mr. *Thomas Bond*; they having had some Difference about Mr. *Bond's* keeping Company with the Wife of one Mr. *Cl---n*; and some say, reflected on the Chastity of *Bond's* Sister, which he so highly relented, that very provoking Words happened between them: Notwithstanding which, after having stay'd till near Ten of the Clock, they went out of the said Tavern, in a seeming friendly manner; but Malice having no Bounds when agravated by a violent Passion, it so unfortunately fell out, that no sooner was they got on the other side of the way, a small Distance from the *Rose Tavern*, Mr. *William Vaughn*, Son in Law to the deceased Gentleman, being then taken his Leave of a Gentleman, who was next day to go into the Country, Mr. *Thomas Bond* Drew his Sword, and renew'd the Quarrel with Squire *Parry*, and attemping to come up to him, the Squires own Son, Mr. *Phillip Parry* steping between them, and with a Stick (he having no Sword) kept *Bond* off his Father; but Mr. *Thomas Vaughn* one of the Squires Sons in Law, who had Married *Bonds* Sister, Unfortunatly laid hold of the Squires own Son, tho' for what cause is not yet known, and at that very instant Mr. *Thomas Bond*, Stabb'd Squire *Parry* into the upper part of the left Pap, the Wound extending several Inches Slope-wise, even so far as 'tis suppos'd it reach'd his Hart, for he thereupon fell Immediatly down Dead in the Place, without speaking a Word: Whereupon several People coming by and hearing a Noise, and Bustle Seized the Squires Son, and the two Sons in Law, and carried them to the Round house, where they were kept all Night, till the next Morning at which time *Phillip Parry*, Son to the Deceased unfortunate Gentleman, sent a Letter unseal'd to a certain Person: The begining was to this Effect, *viz.* Sir, *To my great and unexpressible Sorrow; I must let you know that my Father was Barbarously Murthered last Night by* Bond, the which Letter, together with Mr. *Bonds* Obsconding, and the Jury's Acquitting Mr. *Phillip Parry*, sufficiently contraidcts the Scandalous Reports spread abroad of his being Murther'd by his own Son. The Coroners Inquest sat on the view of his Body on *Saturday* Night last, and brought it in Wilful Murther, and at the same time Discharged the Squires own Son, and *William Vaughn* his Son in Law, but Mr. *Thoms Vaughn* was Committed to *Newgate*, as being Accessary to the said Barbarous Murther.

*London*, Printed by *J. W.* near *Fleet-street*, 17[illegible]

An Account of the Apprehending, and Taking of

# John Davis, and Phillip Wake;

*For Setting Dr.* Sloan's *House on Fire, to Robb the same, with their Committed to* Newgate. *As also,*

*The Discovery of 4 Persons, who Burnt the House of 'Squire* Aisleby, *in* Red-Lyon-Square, *and Murther'd his Lady.* Printed according to Order.

SOME Weekes ago, the House of Dr. *Sloan* near *Bloomsbury-Square*, was attempted to be Broke open by several Notorious Persons; which to perform, they got over into a back Yeard adjoyning to the Fields, but having several times Endeavoured without success to force the Doors open (they being strongly Bolted and Secured within) the said Villains, by the Instigation of the Devil, Immediatly fix'd upon this Desperate, Terible, and Dismal Resolution, *viz.* to set the House on Fire in several places, and by this violent method, to amaze the Family to that degree, as to open the Doors; and then under pretence of Friendly assistance, they were to rush in and Robb the House; but Blessed be God they are prevented, tho having cut several Splinters off the Door of the House of Office, and set Fire to them under the Window, and Back Door of the Pantrey, which being of thin and dry Deal-Boards, burnt with great Violence, and had answered their wicked Designs, if Providence had so Ordered the matter, that the Lady was awake, who smelling the Scent of the Fire, could not be satisfied till the Servants were call'd up, upon which one of them going Down Stairs, and Opening the Pantry-Door was almost Chok'd, with the Violence of the Smoke and Flame, which by this time, had got great Advantage, whereupon being amazed, he Cry'd out Fire, and thereupon Alarm'd the whole Family, who by the help of several Tubbs of Water, which were happily brought in over Night in order to wash their Linnen (the Fire tho very Violent) was in a short time Extinguished; during this amazing Disorder 3 or 4 Men were observed by some of the Neighbours, to stand listening in the back Yard to make their Enterance, as soon as the Door was opened; but seeing their Design were Frustrated, they Sheer'd off with all the haist Imaginable, and so made their Escapes: And tho in order to their being Discovered, *Dr. Sloans* offered a Reward of 100 *l.* to any Person that would Apprehend either of them, yet they remain'd Undiscovered till last Week, at which time as if the Almighty was more than ordinary offended with such an abominable undertaking, they were Discovered, and taken after a strange manner, *viz.* one of them being Surprized in *Westminster* for a Notorious Crime and sent to the *Gate-House*, he there in Order to get his Discharge, Discovered the aforesaid Villany, by whose Directions *John Davis*, and *Phillip Wake*, were taken into Custody, and Carried before the *Recorder*, who Committed them both to *Newgate*, on *Saturday* last.

*And this Day we are inform'd that a Servant belonging to 'Squire* Aisleby, *has made a Discovery of four Notorious Villains, who after having Murthered his Lady, and Robb'd the House, in* Red-Lyon-Square *set it on Fire, wherein she was Burnt to Ashes, and same say the aforesaid Persons in* Newgate, *were Concern'd in that Cruel, and Inhuman Barbarity; and if so it was a Crime of such an abominable Nature, as hardly ever was heard of in any Age, in regard a Vertious, Harmless, and Innocent Lady, Expired in those Merciless Flames.*

*London*, Printed by *J. W.* in *Fleet-street*, 1708

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An Account of the

# Actions, Behaviours, and Dying VVords,

OF THE

# Eight Criminals,

That were Executed at *Tyburn* on *Fryday* the 24th of *May*, 1700.

(VIZ,)

*John Davis*, alias *Shirley*, and *Philip Wake*, for Firing Dr. *Sloan's* House in *Bloomsbury-Square*, *Joseph Fisher*, *John Hatchman*, *John Cooper*, *John Titt*, *Thomas Nixon*, and *James Walters* for Fellony and Burglary.

*JOHN DAVIS*, and *Philip Wake*, Condemn'd for Firing the House of Docter *Sloan*, on the 5th of *April* Last, they have been both old Offenders having Committed many notorious Actions, but having not Room to enumerate them in particular I shall only Instance the last horried Villany they Committed, which was one of the Barbarous attempts that ever was put in practise by the worst of Wretches; for had their desprate project taken that dismal Efect they design'd it for, the aforesaid Docters Family who went to Bed in peace over Night had miserably Perish'd by the mercileſs and devouring Flames, and which was far more Terrible, perhaps, (being then the Dead time of the Night) might have been deprived by the suddenness of such an amazing Causalty, of one Minutes time to call on God for Mercy: Which dreadful and terrible Effects was by the wonderful providence of God prevented, otherwise they had in all probability been Burnt in their Beds; for which horrid Villany of Firing the House with an Intention to Robb the same they were Try'd at the *Old Baily* last Sessions, where one of their Confiderates was Evidence against them, upon which *Philip Wake* Confessed the Fact, but *John Davis* confedently Deny'd it and put himself on his Tryal, and was found Guilty, and accordingly they both receiv'd Sentance of Death for the same.

And on *Friday* the 24th of *May* they were Conveyed from *Newgate* to the Place of Execution, where they both Confessed the Firing of the Doctors House, and Expressed abundance of Sorrow for that Barbarous Cruel and Inhuman Attempt, Especially *Philip Wake*, who seemed very much troubled as well for that horrid Villany, as for the many greivious Crimes he had Committed, desiring the People to pray for him, and seemed very Penitent: *John Davis* seemed very much Concern'd and Dejected, but could not express himself, as became his Circumstance, however he joyn'd in Prayer with the other Criminals, and 'tis hoped tho' his Tongue could not set forth the true sence of his Penitence, his Heart was effectually touch'd with the Haniousness of his Impieties: They both desired all Persons to take warning by their shameful and deplorable tho' deserved Deaths.

*John Cooper*, *John Hatchman*, *John Titt*, all three Condemn'd for Fellony and Burglary in Breaking the House of the Honourable *Thomas Howard* Esq; at *Lambeth* on the 8th of *April* last, taking thence several Goods of great Vallue; one of their Gang being in the said Robbery betray'd them, and was an Evidence against them; and it appearing in Court that they were Notorious and Lude Men, and the Fact being fully prov'd against them they were found Guilty and Condemn'd for the said Robbery, and on *Friday* last they were convey'd from *Newgate* to *Tyburn*, where *Hatchman* Lamented very much and confess'd the Fact, desiring the Spectators to avoid Coveteousness and Lust which were the Original cause of his Ruin. *Cooper* also seemed very Sorrowful, but being a Person very slow of Speech he made but little Confession. But *John Titt* seemed Extraordinray Penitent and shed abundance Tears Confessing he had been a great Sinner, and had Committed many Notorious Actions which very much troubled his trembling and afflicted Soul, adding that Drunkenness Swearing Lust and Covetousness had brought him to that Shamful Disaster, and Loathsome Exit: They all three Pray'd very Devoutly and desired the Minister to pray for them, so that we have the Charity to hope that they Dyed Penit

*Josep*

*Joseph Fisher*, alias *Draper*, of the Parish of *Stepheny*, Condemn'd for Fellony and Burglary, in Breaking the House of *Mary Peak* of *Stepney-Causway*, on the 3d of *April* last, taking thence Goods of great value; he being in the Company of the two Men that were Executed for the said Robbery, before Mrs. *Peaks* Door. The Evidence against him, was one who was present in the said Robbery, and it being proved that he had been an old Offender, he was found Guilty at the last Sessions, and received sentence of Death, for the said Offence, and persuant to the said Sentance, he with the other Criminals, was Carried in Carts from *Newgate* to *Tyburn*, where he behaved himself very hopefully considering his Circumstances, and mightily bewailed his deplorable and unhappy Fate, Confessing the Robbery, for which he was Condemned; but alledged that the Evidence against him, was the main Instrument of his Engaging in that notorious Undertaking, however (quoth he) *I freely forgive him for it and hope God will do the like*; He Confessed he had been a very Vile and Wicked Person, in allmost all manner of Debauchery and Uncleanness, desiring all young Men to take Warning by his sad and dismal Overthrow, He pray'd very Earnestly, and behaved himself very Devoutly to the very last Minute.

*Thomas Nixon*, of the Parish of *St. Martins in the Fields*, Condemn'd for Fellony and Burglary in Breaking the House of *Valentine Ley*: He Confessed he had been an old Offender, and the Fact for which he suffered, tho he had utterly Deny'd it at his Tryal) and said that he had committed many Crimes of this Nature, and that he had been guilty of *Sabath* Breaking, Drunkenness, and other abominable Actions, the thoughts of which was a great terror and amazment to his distressed and afflicted Conscience; is however by the Endeavuors of the Minister, who there assisted, he was at last brought to a more settled mind, and pray'd with wonderful fervency and earnestness, and in short he Dyed seemingly Penitent; but for his real sincerity, we must leave to him from whom nothing can be hid.

*James Walters*, of the Parish of St. *Michael Cornhil*, found Guilty and Condemn'd on Six Indictments, the Evidence against him on all the Tryals, was one, who was with him in all the Facts; which was so plain and full against him, that he was Condemn'd, was on *Friday* last, brought from *Newgate* to be Executed, with the other Criminals: He declar'd himself a very hanious Sinner both in Thought, Word, and Deed, and that he was not only Guilty of all those Crimes, which he was charged with but of many other base and abominable Practises, he desired all young Men, to take warning by his sad and deplorable unhappy Fate, least they too late, saw the sad and dismal Effects of such wilful and wretched Negligence, He also acknowledged that he had been a Stuborn and Disobedient Son to his Parents, and had slighted and abused their good Counsel and Admonition, which taking undue Liberty, he soon engag'd in all manner of Lude Practises which terminated in Dreadful and Terrible Consequences: He said he had been well Educated having Learnd *Navagation* and several parts of the Mathematick and most commendable Sciences but having too much Liberty given him by his over fond and indulgent Parents, and he being naturally Wild and Extravagent, his Youthful Inclination was soon Corrupted, insomuch that keeping Evil and Debauch'd Company he, was thereby led away to all manner of Irregularities; so that having spent what his Friends had left him, he was reduced to great necessity and want; He easily consented to turn House Breaker, and sometimes Robbing on the High-way; for all which he seem'd to be very sorrowful and dejected, earnestly desiring the Numerous Crowds of Spectators to Pray for him, and to avoid the like Crimes, otherwise (quoth he) you will certainly either sooner or later feel the sad and dreadful Effects thereof: And in short he Dyed very Penitent.


## ADVERTISEMENT.

*AT the farthest House on the Left-hand, in* Blew-ball Court, *in* Salisbury-Court, Fleet-street, (*being the first Court on the Left-hand over against* Salisb r -Squar) *Gentlemen*, &c. *may have an Interest made to Invest them in Employments suitable to there several Qualities and Capacities. We have now these Places to dispose of.* viz. 4 *in the Country*, 2 *upwards of* 100*l.* per Ann. *good Perquisites for Life*, 1 *of* 70*l. and* 1 *of* 50*l.* per Ann. *Sallaries, the* 2 *first to be acted by Deputies, the others for Life, also in the City*, viz. 2 *in the Law for Life, valued at upwards of* 200*l.* per Ann. *each*, 1 *of* 1200*l. a Year another of* 700*l. per Ann. Sallary, good Perquisites*, (*in the Law, and for Life also*) 3 *Places of upwards of* 100*l. per Ann.* 5 *Places of upwards of* 60*l. per Ann. Sallaries, most for Life, and may be managed by Deputies; at the other end of the Town*, 1 *Place of* 200*l. per Ann.* 3 *of upwards of* 100*l. per Ann. with many other Places too long here to Insert, but we refer to our Bills published in most Coffee-houses. We have now an opportunity of serving several Persons, who Write a good Hand, and can give Security. We Buy and Sell Estates, Houses, Ground Rents*, &c. *procure Money on good Securits* &c. *We speedily and faithfully Solicite all sorts of Cases depending in the Courts of Law and Equity, Treasury, Navy-Office*, &c. *For the Satisfaction of the Publick, we think fit to add, that the Original Undertaker of this Business in* England *was Mr.* A. C. *Deceased, by whom and us* (*some of us being near Relations of the said Mr.* C.) *it has been successfully Managed upwards of* 30 *Years; all other Bills pretending to our Business not being of a Years standing. Our chief Undertaker now is a Person of Quality, well known to many of the principal Nobility and Gentry, of this Kingdom.*



*London*, Printed for *W. F.* near *Temple-Bar*, 1700.

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# *A full and true Account, of the Behaviours, Confeſſions, and laſt Dying Speeches of the Condemn'd Criminals, that were Executed at* Tyburn, *on* Friday *the* 24th *of* May, 1700.

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R. Allen (3rd) Ordinary of Newgate 185

JOHN *Shirly*, alias *Davis*, 22 Years old, Condemn'd for Firing the Houſe of Dr. *Sloan*; being examin'd ſaid, that he was Deſcended of a good Family, that his Parents, who tenderly loved him, Educated him at School a conſiderable time, but growing Headſtrong, he ran away from them, and Liſted himſelf a Soldier, for ſeveral Years he ſerved abroad in that Station, and at laſt, having got Acquaintance with the Surgeon of a Regiment, he pretended to practice that Art, which brought him in no ſmall Profit; but being Viciouſly inclin'd, liv'd at ſuch a rate, that his Incomes could not anſwer his unneceſſary and exorbitant Expences, which caus'd him to rack his Invention, how to ſupport his profuſe way of Living; this made him liſten to bad Advice, and to turn a deaf Ear to that wholſome Counſel, which they who knew his Parents frequently gave him. The great Enemy of Mankind provided ſome Accomplices for him, who having conſum'd their Subſtance with riotous Living, were willing to undertake any wicked Action that might ſupport their craving Circumſtances: To this Gang he willingly aſſociated himſelf, and committed ſeveral Robberies and Burglaries, more than he could remember: At length they reſolv'd to break open this Houſe in *Bloomsbury-Square*, which they attempted in ſeveral Places, but could not effect; then they reſolv'd to burn it; and accordingly one of them ſtruck a Light, and cut a little Door into Splinters, then breaking the Glaſs and part of the Wood in the Window, ſet a Candle to it, which caus'd the Window to blaze: Their Deſign as he ſaid, was to throw Stones at the upper Windows, to awaken the Family when the Fire had got a Head, and ſo under Pretence of helping them to carry away their beſt Goods, and Rob them of all that was valuable. I preſt him very often to diſcover whether he was concern'd in that great Fire in *Red-lion Fulds*, putting him in mind, that there is no denying or leſſening his Sins before God, who was privy to all his Thoughts and Deſigns, and knows all his Actions, tho' never ſo ſecretly committed, and no human Eye ſaw him. But he ſtill denyed that he was any ways concern'd in it, only that he was preſent when it was burning, and got a ſilver Candleſtick, a Caſe of Piſtols, and ſome other things. He did not ſeem at firſt ſo well affected with his Condition as could be wiſhed; but afterwards he returned to a better Mind, and wiſht that he had a longer ſpace to live, that ſo he might teſtifie his Sincerity, by leading a better Life for the future.

*Philip Wake*, Convicted for the ſame, confeſt his Crime, and gave an account of it much after the ſame manner, only with this Adition, that *Davis* was the Projector of it, and encouraged them to do it, when they reſolv'd to deſiſt. He added, that he was an old Offender, had made ſeveral Reſolutions to forſake his evil Courſes, but as often broke them: His Indiſpoſition did not permit him to ſpeak much, but he ſeem'd very attentive to good Advice.

*James Walters*, Condemn'd for ſeveral Felonies: Was an Apprentice to a Merchant, but leading a diſſolute debaucht Life, his Maſter turn'd him away; then he went to his old Companions, who prevail'd with him to go abroad with them, where he committed a great many baſe, notorious Actions. He complain'd of the tedious Confinement he underwent, and how troubleſome it was to him, who was always a buſie ſtirring Perſon: But he was put in mind that he ſhou'd by no means once fancy, that he muſt lie in that doleful Place, ſhut out from all Buſineſs, and condemn'd as it were to a ſtate of Idleneſs; but that he ſhould ſet himſelf with all his might, to mind the one thing neceſſary, the great Work of Repentance, and making his Peace with Almighty God; for this would cut out work enough for him, and of more Comfort and Profit to his Soul, than any other Employment which he had formerly been uſed to. He was alſo told, that he ſtood now upon the very brink of Eternity, and muſt ſhortly appear before the Tribunal of God, which is infinitely more terrible than that of any earthly Judge can be; therefore it became him, with all the ſerioufneſs that is poſſible, to prepare himſelf for ſo dreadful an Appearance; to which he reply'd, that he had a good Education, and underſtood theſe matters very well.

*John Titt*, 24 Years old, Convicted for Burglary. He ſerv'd his Maſter (who was a Waterman) very Faithfully, but being made free, he unfortunately met with ſome Acquaintance which entic'd him to Drink to exceſs, and ſo neglecting his lawful Calling, being reduc'd to want, was the more eaſily prevail'd with to commit this Fact, the only one of that Nature, (as he ſaid) he ever was Guilty of. His Life of late was very irregular, addicted to Swearing, Lewdneſs, and Debauchery, for which he ſaid he was exceeding ſorrowful, and that his Vices were now as deteſtable in his ſight, as before they ſeem'd pleaſant.

*John Hatchman*, aged 15 Years, Convicted for the ſame, confeſt his Crime, and ſaid that *Titt* meeting him in *Southwark*, made him Drunk, and then brought him along with them to break open the Houſe. He denyed he ever was concern'd with ſuch Perſons any more, and Promiſes if he be Tranſported, to lead a better Life for the future.

*John Cooper*, Condemn'd for the ſame. He was ſeiz'd with the Jayl-Diſtemper, which is a violent Feaver, attended with a delirious Light-headedneſs, and ſo was not in a capacity to give any Account of himſelf.

*Joſeph Fiſher*, 48 Years old, Born in *Cornwal*, Condemn'd for Burglary, was a Seaman, and ſerv'd aboard in the *Royal-Navy*, and as he ſaid, did

once

once a considerable piece of Service: But being addicted to evil Practices, and giving Reins to his Passions, and no Bounds to his Lusts, he followed such a wicked Course of Life; which brought him to the same unhappy Circumstances once before, being Condemn'd to Die. The terrors of Death exorted from him several Vows and Resolutions of living better, if it pleased God to restore him to his Liberty once more. But all his good Purposes prov'd abortive, for they never passed into Act; for being Pardoned by his Majesty's Clemency, he return'd to his former wicked Courses; and forsaking his lawful Wife, lived with other Women, who brought him into much Trouble. He behaved himself very sullen, would not confess his Crime, but endeavour'd to extenuate it.

*Thomas Hixon*, Convicted for Burglary confess'd his Crime, and seem'd very much concern'd for it, lamenting his unhappy Condition with a flood of Tears; and promising never to commit the same again if he were Transported. He was put in mind of the Reasons he had to suspect the sincerity of these good Purposes, and to remember the vast difference there is between things as they are only represented to us by our Fancies, and when they become actually and sensibly present to us. To which he reply'd, That he hoped God would for Christ's sake not despise his weak Resolutions, but enable him by his Grace to keep them, humbly beseeching him not to forsake him in this time of his greatest need of Comfort, but that he would be graciously pleased to be found of him at the Hour of Death and Day of Judgment, that God of Mercy and Love, which in himself he always is. He seem'd Penitent.

On *Friday* the 24th of *May*, these Persons were conveyed from *Newgate* to *Tyburn* in Carts. *John Shirley*, alias *Dutch*, *Philip Wake*, *John Titt*, *John Hatchman*, *John Cooper*, *Joseph Fisher*, *Thomas Hixon*, and *Jannet Walters*. And being tied up; *John Shirley*, confess'd that he did suffer deservedly, but that *Wake* was the Person who first perswaded him to attempt the breaking of the House by Fire. He denyed with several Asseverations, that he or any other to his knowledge, were concern'd in the great Fire in *Redhon* Fields; only that he hearing of it, came there with an intent to get what he could conveniently carry away. He seem'd terribly afraid of that Punishment which his Crimes deserved. *Fear and trembling*, said he, *have seiz'd upon me, and an horrible Dread hath overwhelm'd me. Without is the Prospect of Death and Disgrace, and within is Guilt and Anguish; and tho' my Burden is intolerable, yet O good God! I cannot say, but it is infinitely just. 'Tis a most reasonable and righteous return for my daring Provocations of thy Justice; and much more for my vile abuses of thy Mercy and Patience. I must needs acquit and justifie thee, and have none to accuse but mine own self, for all my present Fears and Miseries. All my Life I have been sowing Wickedness, and am now brought to reap the Fruit thereof.* He seem'd Penitent. *Philip Wake*, being inquisitive, said but little: He owned himself an old Offender, who had formerly receiv'd Mercy, but would not forsake his evil Courses; he desired the Prayers of all good Persons, and Prayed God to make the great crowd of Spectators the better by the sadness of such a sight. *John Titt* seem'd at first some what unconcern'd at his approaching End; but afterwards his Countenance changed, and he shed some Tears; confess'd his Crime, and desired the Prayers of all People. *Joseph Fisher* would not own his Crime, tho' the Evidence was positive against him: He spent most of his time in quarreling with the Executioner, but afterwards desired all Persons to take Warning by his untimely End. *James Walters* confessed that he was guilty of the several Crimes he was charged with, that bad Company had such Influence on him, as to make him do those things which otherwise he had an aversion to. He Prayed very earnestly, and seem'd sensible of his State. *John Hatchman* wept very much, and confess'd his Crime. *John Cooper*, and *Thomas Hixon* said but little, but gave attention to the Exhortation that was made to them. They were allow'd some time for private Prayer, and were earnestly press'd to confess their Crimes and take shame to themselves; which some complyed with, but others refused.

After that the Cart drew away, they were turned off.

Dated *May* 24th, 1700.

John Allen, *Ordinary*.

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## *ADVERTISEMENTS.*


B. *Lilburn*, that lately Lived on *Ludgate-hill*, next to the *Kings Arms* Tavern near *Fleet-Bridge*, ☞ now Lives at the *Golden-Board*, and *Ball*, near the *Globe-Tavern*, in little *Moor-fields*, near great *Moor-gate*, up one Pair of Stairs. Who maketh and selleth, (and has done above 16 Years) ☞ the Water for taking away the Freckels Pimples Worms, and Morphew in the Face: With *Elixir Salus*, *Balsamum Vitæ*, *Tinctura Vitæ*. Waters and Ointments for the Eyes, and Ointments for sore Nipples; Ointments for the Rickets, Burns, Scalds, Wounds, Aches, Strains, &c. Powders, Dentrifices, Elixirs, Essences, Oils, Spirits, &c. both for Ornament, and Curing most Distempers incident to Humane Bodies; where you may have Advice as well as Medicines, likewise Judgment upon Urine.

☞ The Water for the Freckles, Pimples, &c. The Author has for some Years past, left with several for Sale; and now doth understand, they have been abused by Counterfeits; which to prevent for the future, doth desire those who have bought from them — and not found the Effects answer the Ends for which it is proposed, to acquaint her with it, and where they bought it — and likewise to take notice of the Seal, *viz.* The 3 Water-budgets, and *B. L.* on the top of the Seal. ☞ The Price of the half Pint-bottle 3*s*.

AT the farthest House on the Left-hand, in *Blew-ball Court*, in *Salisbury-Court*, *Fleetstreet*, (being the first Court on the Left hand over against *Salisbury-Square*) Gentlemen, &c. may have an Interest made to Invest them in Employments suitable to their several Qualities and Capacities. We have now these Places to dispose of, *viz.* 4 in the Country, 2 upwards of 100 *l. per An.* good Perquisites for Life, 1 of 70 *l.* and 1 of 50 *l. per An.* Salaries, the 2 first to be actual by Deputies, the others for Life; also in the City, *viz.* 2 in the Law for Life, valued at upwards of 200 *l. per An.* each, 1 of 1200 *l.* a Year, another of 700 *l. per An.* Sallary, good Perquisites, (in the Law, and for Life also) 3 Places of upwards of 100 *l. per An.* 5 Places of upwards of 60 *l. per An.* Sallaries, most for Life, and may be managed by Deputies; at the other end of the Town, 1 Place of 200 *l. per An.* 3 of upwards of 100 *l. per An.* with many other Places too long here to Insert, but we refer to our Bills published in most Coffee-houses. We have now an opportunity of serving several Persons, who Write a good Hand, and can give Security. We Buy and Sell Estates, Houses, Ground-Rents, &c. procure Money on good Security &c. We speedily and faithfully Sollicite all sorts of Causes depending in the Courts of Law and Equity, Treasury, Navy Office, &c. For the Satisfaction of the Publick, we think fit to add, that the Original Undertaker of this Business in *England* was Mr. *A. C.* Deceased, by whom and us (some of us being near Relations of the said Mr. *C.*) it has been successfully Managed upwards of 30 Years; all other Bills pretending to our Business not being of a Years standing. Our chief Undertaker now is a Person of Quality, well known to many of the principal Nobility and Gentry, of this Kingdom.


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*LONDON.* Printed for *E. Mallet*, at the Hat and Hawk in *Bride-lane*.

A full and true Discovery of all the Roberies, Pyracies, and other Notorious Actions, of that Famous *English* Pyrate, Capt. *JAMES KELLY*, who was Executed on *Friday* the 12*th*. of *July* 1700. With an Account of his joyning with Capt. *KIDD*, and other remarkable Pyrates in several parts of the World: with all the most material Passages of his Life, to the time of his Death.

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Written with his own Hand, During his Confinement in *Newgate*; and Delivered to his Wife, the Day of his Execution; Published by her Order and Desire.

IN or about the Year 1680 I Shipt my self with Capt. *Tho. Arnoll*, my first going out of *England* in the Ship *Viner* about 330 Tuns, bound for *Guinea*. That Voyage I proceeded till I came to *Germany*, where lay the *Norwich* Man of War, who seiz'd upon our Ship, and made a Prize of her. Then I Shipt my self on Board of the *Dolphin*, Capt. *Yankee* Commander upon the Privateer account; the Ship was then lying in *Bull-Bay*, between *Port Royal* and *Gallies*, so the Ship having occasion of Sailes, Riging and many other necessaries, we sent a Ship into *Jemaco* loaded with Sugar, for to purchase the necessaries, that we had occasion of the Sugar taking from the *Spaniards*; but the Man that was put in trust with the Ship, when came on Shore inform'd that the Ship was seiz'd on and Man'd, and fitted out for to take our Ship, or our Consort; that was the Ship *Buneto*: Capt. *Jacob*, he came out on the Sunday Morning, which was a thing not usual, and when he came near the Ship, he show'd us the Sign, which he was ordered to do if all was well; the Sea Breese then setting in, he could not fetch the Ship, so he fetcht a Trip off, and our consort then riding to Windward, the other Ship tackt, and when he came within small Arm, that of our consort, he hoisted the Kings Jack upon his Insignet Staff and call'd his Men upon Deck, which were about 70 Red Coats; then laid our Consort on board, their Men for the most part being Drunk so our Consort was taken, and when the Men see they were betrayed, they tumbled into the *Canoe* till their was so many that overset her and put them all to swiming, the Soldiers Fired at them and killed them most in the water, but them which were on board; they seiz'd on the Ship and abused them inhumanly, in somuch that if a Man had a Ring on his Finger, they would bite the whole Finger off: from thence we took our departure, not being willing to Fight against English Colours, and arrived at high *Spainyolo*. Then we met with a Privateer Capt. *John Williams* Commander, whom we Joyn'd with, so we Sail'd toward the Coast of *Cathergeen*, and in our way our Consort spying a Leak so he was forc'd to bear away to the *Desambilloes*, and a Day or two following our Ruther unhung, but mannaging her with her head Sails, we fetcht the Island *Forto*, and when at Anchor we hung the Ruther again, from thence we Sail'd to the Frinds Islands, which lyes off of *Point Pickeroon*, there we set a Man to look out upon a high Tree, he spyed a *Spanish Pereoago*, so the *Canoa* went out for to take her, but could not come up with her, so came on board again, and a fresh going went in, and one Man being acquainted with the Creek where the *Pereoago* went in, and lay all Night, and took her the next Morning, she had on board Magazeen Goods and Brandy, from thence we Sailed to the River of *Grandee*, and from thence we Sailed to *Senego* and took it from the *Spaniards*, from thence we went to a great *Indian* Town near St. *Mark* and took it, and one of our consorts meeting with the Beef Stantion, left 20 Men to secure the Castle; and while we were in the Town we were disguis'd at *Sankto Mark*, and raising all they could they Assaulted us and fell upon the Men that kept the Beef Stantion, and Slew all but 3 or 4, and they all were wounded save the Docter, so we hearing Guns Fired, we assailed out of the Town and came to the Beef Stantion, and found all the Men Dead save them 3, or 4 above mention'd, so return'd again to the Town; we made all ready to return to our Ship, and coming down the Spaniards lay in Ambush, but the Prisoners we then had, we kept in the middle of our Company, so marching down we took an *Indian*, who inform'd us that an Ambush was laid for us in such a Place; so when we came near the Ambush we Fired a Valley, and they answer'd, so when they were discharg'd, we Sallyed in upon them and broke their Ambush, but having several Men Wound d but none kill'd, we then marcht down into the Ship with no more Damage.

From thence we took our departure intending for *Sand Bay*, where we arrived and ride for some days, then spyed a Ship, she proved to be a *Spaniard* coming from *Sanckyago* on *Cuby*, loaden with Sugar, Sweet Meats and Tobacco bound from *Cathergeen*, but coming up with her Fired at us, and we at her again, we had 12 Guns and 8 Patarreerers, we had 2 small Guns but no Patareerers, she had 80 Men or more each double Armed, we between 40 and 50, but having a long dispute with her till each of our Men Fired two Cattuch Boxes away, doing much damage on each side, but at length took her and went to Royal a Hatch, there we put the Capt. and all that was living on Shore, so took our departure for *High Saniously* at the Isle of *Ash*. We met a *Dutch* Ship and put the Kings Tents on Board of her, desiring a Commission, which they granted, the *French* there living, then went towards the Coast of *Cathergeon* where we soon arrived, & there met a *Dutch* Man lying off *Point Canoa*, we Fired a Shot thwart his fore Foot, but he did not mind it, then we came on his Broad side, and he Fired a Broad-side upon us, and Shot out a Head of us, but we kept him Company all that Night, and in the Morning about 10 of the Clock we took him; then Sail'd to our Commission Port with the loss of a great many Men, there we put on Shore the Kings Tents, our Men then being *English*, *French* and *Dutch*, we could not agree, so we and the *Dutch* gave the *French* our share of the Man of War; for their share of the Prize, some Men going a Shore to get Water and get Ballence, were seiz'd on by the *French*, who likewise Man'd the Man of War, and and a Bark of *Lo[illegible]*, and came off and took our Ship from us and [illegible]'d us ashore, [illegible] to

or Provision we knew not. But were forced to Grabble pattatoes out of the Ground with our Fingers; then Capt. *Dallan* came to me being formerly acquainted, he was Capt. of the *Barky Longe*, he askt me if I would go on Board with him, if he did give me any Arms and what I had on Board, only my part in the Ship he would not, to which I consented, then he desired me to get him some able Seamen, which I did, so came on Board, then Capt. *Yeates* Ordered Capt. *Dallan* in the back of *Longer*, and *Hawkins* in the Prize to go to *Port Guinea*, and going about we met with a North Wind, and the Prize was put to Leward as we thought and we got into *Cainama*, when the weather broke up, we went to *Negra* there our Cape. went on Shore, and told he would send me of a Bamboat with Brandy, Lime-Juice and Sugar, accordingly he came and we bought Brandy and Sugar, then the *Frenchmen* made a Bowl of Punch by the Main Mash, and we by the Binacle, but before we concluded to take the Vessel, only waited for an opportunity, now we thought no better time could present, so I and *Randal Hiles* was pitcht upon to secure their Arms in the hold it fell to my turn to go first down, then I Provided Arms for him and my self, then our did People rise against them on the Deck, having no Arms only Hand Spikes and Billets and such like, the *Frenchmen* seeing our Men Fierce Jumpt down the Hold thinking to get their Arms, but we prevented them and handed the Arms upon the Deck, and carried them aft, then cut the Cable in the Horle and lost Hands up to hoise the Sails having but little Wind and could not get off Shore, we call'd the *Frenchmen* upon Deck, and made them Ship all our Oars and Bank her off, then having a fine Breeze of Wind, we put the *Frenchmen* on Shore to Windward of *Rastan*, then made the best of our way to the Isle of *Ash*, but meeting an *English* Ship belonging to *Jamaica* lent the Master on Board Capt. *Courtan* Commanded her. *John Cook* then being Commander of our Ship: I being well acquainted with Capt. *Courtan* went on Board of him with his Canoa, and I acquainted him how our affairs was, and how our *English* Men were taken on Shore and that he desired him to go in with his Ships Guns against the Negroes, and to demand the Men on Board, I going in Company with him, to Captain *Courtan* went on Shore and demanded the *English* Men that was left their by Capt. *Yeates* his request being granted 3 or 4 came on Board with Capt. *Courtan*, and then I showed my self to them and Captain them how all things was, so one of them went on Shore and acquainted the rest how all things were, and they all came on Board: from thence we went up to *Mesia* & there met a *French* Ship about 100 Tunn loaden with Wine, then went to *Santa* and took a Dutchman in the Road lying unrig'd, loaden with Sugar and much Brandy: from thence to the *Rimagatoe*, there lay a new *English* Pink who wintered over a Reefe into a Pond by bad Weather, Bound for *Jamaica*, to Wind the Long-Boat to search out a Channel, we found a narrow Channel but the breadth of the Pinke: the Men then belonging to the Pink were designed to go on Shore, but we coming on Board Capt. *Courtan* upon her Cable and Cast her, then lost the Sails and Cut the Spring, but going through the Channel, we stuck at length, with great trouble we got through, then we sunk our Back or longer of *Turnip*, then Sailed for *Virginia* in the Pink: my Lord *Culpeper* then being Governor we sent our Master to him for Admittance in, then said my Ld. if you can Show any thing from any Port for what done, I will grant your request, we then showd him our *French* Commition, and then sent him a present and remained there some time, then took our departure in one of our Prizes for *Cape Verde* Islands, but meeting the *Portsmouth* Pink, who was taken by the *Dutch* the last *Holland* Wars, where we Pitcht her, soon after arrived to *Cape Bryard*, from thence to *Sarralone Guinea*, there took a Dutch ships, of one we made a Man of War, mounting 36 Guns Iohn, our own Ship we burnt, the other we gave the *Dutch* Men, From thence toward the South Sea, where we soon arrived, the first Ship met with us was Capt. *John Eaton* in the Ship *Nicholas* with 20 odd Guns, but he had *French* Colours and we *English* up, changed several shot, she not being our *English* Colours, we being down upon her she made our Colours, she made Friends and Joyned Consorts, then we Sailed to *Wapassandar*, from thence to the *Coasses* there see a Sail & took her, and *Chantler* held our Ship by her, lying there some time. Came 3 *Spanish* Ships, then we took a being deep loaden the other light, but all with Provisions and Sugar, then Sailed to *Gallipillah* there laid up Provision for store: From thence to Port *Dose Vahies*, then Watered from thence to *Amigala*, there made a hulk of the Prize and lay Guard Ship while Capt. *Eaton Careen'd*; Then he for us, from thence to the Southward, but not agreeing parted, then Sailed to *Plate*. *Eaton* meeting us there would have joyn'd us again, we would not; then we went to the Southward, but finding no Purchase went to *Peru*, now finding there came a great many *French* Men, some *English* with them, the *French* we gave a Prize that we took, but the *English* we took on Board our Ship, the mean while the *Spaniards* fitted out a Fire Ship from *Panama*, but coming off about the Dead time of the Night, we made our Pinnaces and met her, demanding her to come to Anchor, they would not, but coming nigh to their Ship were into their Cannon and set the Ship on Fire but the Fire in between our Ship & the Fireship, so did no damage: Then came out 300 *English* Men, & some time afterwards came the *Spanish Armada* to take us, we fought the *Armada* from Sun rise to Sun set, they being 9 Sail in all, That they stood in for the Bay of *Panama*, and we for the Main Seas: Then meeting about 4 Sail, whom the *English* Men met and took, we joyn'd and Sail'd to *Rialeta*, and landed and took the City *La Sa*, lying some time in the City, but getting little or no Purchase we return'd again, for we were deprived, as they had carried the Money and Goods into the Country.

From hence I went to *Barbados*, from thence to *Jamaica*. In which time after king *William* was Proclaimed, and were with the *French*; so I Shipt my self in a Privateer Captin *Thomas Hassiter* Commander: But he and his People not Agreeing, they would not go were he would have them, they having some shares in the Ship, would go were they Pleased themselves; the Captin not willing to go with them, left the Ship, went on board the *Dreadnought* Slape. We went towards the *Main*, I *James Kelly* being then Commander, where we arived, then took Porta but did no harm, only taking Provisions from thence to the *Country*, where came the *Vice Consul*, who we detained as a Prisoner, till such time as he had consider the strength of the Town, and how we should take it, and what quantity of Men there was, which he agreed, but we could do no good, so from thence to the *Cape Deverds*, and took a *Portugeze* out of *Santa Iago*, lying in the Road bound for *Brasil* Loading with Reime: then Sail'd to *Fogo*, and put the Prisoners Ashore from thence to the Island *Brave*, made a Hulk of the Prize, and Creen'd the Ship. And then Sail'd for the *East Indies*, arived at *Madagascar*.

And From thence we Sail'd towards *Chany*, expecting to Touch at the Cheap Sumar, but the night before we made Achean, we lay by; then the Men Rose, and took the Ship in there owne Possion and kill'd the Captain, the Conspiracy was first made by his own Men, he using them so Cruely formerly: then being told the new comers which being a Colented, but I understanding they had a mind to kill the Captin would not consent, when the Ship was going to be taken, by perswasion I took the Gunroom, not thinking they would kill the Captin, I being a Commander formally, some would have had me Captain; but by reason I would not consent to kill Captain *Dalbom*, others would not: the next Morning made Sail towards the Cheap, when Night, we ask'd who would go Ashore them that would, only 2 or 3 detaind on force, when the Boat went on Shore them that was on board, took up Armes; then Sail'd for *Merga* in the King of *Syams* Country, came to an Anchor at an Island, the Commander going on Shore with some Men; but when on Shore, happened to meet with some of the Men we left at *Achean*, our Captain then went to the Governer, who being very Inquisitive to know from whence we came, the Captain Resolved him, and askt him whether we might have the liberty to Clean our Ship there, the Governer said, he could not, but desired to go to the *Vice Roy*, where he went, who granted him necessarys leave to clean our Ship; then Departed Sailing towards *Linnonhar* Island, there we Wooded and Watred, and got such necessarys as the Island afforded; From thence we Sail'd to the Coast of *Pamana*, there we took a *Portugalls* Ship Bound to *Chancuaka* with the *Vice* king on Board, then met, with Captin *Hide* bound to *China*, a Company Trading Ship came from *Bumbay*, so Sailing up to him, he asked what we wanted we said what he had, but neither Ship nor he, then he said you must Fight for it, so we did, doing much Damage on both sides, parted; after took several *Chaussetas*, one great Ship, we Carried to the *Negrife* in the King of *Pegues* Country, there Detained two *English* ships belonging to *Madrass* till our Ship was Careened; mean time came on the King of *Syams* Ships, then fitted the Bregatten, and took her, and put the Men on Shore, from thence to Cape *Comerans*, and there met two *Portugese* Ships come from *Chany*, took one, the other fled; then took Captain *Willicks* belonging to *Bengal*, & Sunk her for fear of being discovered, detaind the Men on board till our Cruse was out, then took a *Moors* Pink, the Captin went on Shore, at the Kings Island, Desiring to Trade with them, they would not, then took several of the Island, and then to the Coast of *Sumana*, for to look for a watering Place, but met a *Malaysin* Privateer, we clapt them on board with the long Boat, but they kill'd all our Men, but three, and two of them were Wounded, so left her making the best of our way to *Madagascar* then we left the Ship, and Dwelt on Shore, till Captain *Kidd* came; when his Men left him we went on board the *Mocha*; so I went Home along with him and then was put in Prison, where I remaind till I was cal'd to my Tryal at the old Bally, before the Court of *Admiralty* the 11th of *June* last; where I was found guilty of Pyracy, tho I denyd it, by Endeavouring to insinuate, that I was then at the Isle of *Rhea* in new *England*, but justice taking place. I received Sentance of Death. I made all the intrest possible for a Repreeve to both the *Sheriffs*, and other Magistrate, but finding all hopes of a Pardon ineffectual, I applyd my self to Devotion in order for my Souls Welfare. I do Confess I was on board when Captain *Edgcomb* was kill'd, and did consent to the Seizing the Ship, but not to his Death, tho I knew he was killd while I was below *Deck*; I had something more to say; but to morrow being the Day of my Execution; my thoughts are took up on things of a higher moment; I desire that this Paper may be Printed and Published, to prevent all false and Sham Accounts that may (perhaps) be set forth in my Name, to Impose on the Publick.

And I hope this my sad Fate, will be a warning to Lude Sea Men, and notorious Pyrates, whatsoever.

I am the unfortunate,

*James Kelly*

*July* the 11th 1700.

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*Printed According to Order.*

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Printed in the Year 1700.

# The PROCEEDINGS of the Court of Admiralty, by a ſpecial Commiſſion,

BEING

The Tryals of all the *French* Pirates at the *Old-Baily*, on *Monday*. *Tueſday* *Thurſday* and *Friday*, being the 21ſt, 22d, 24th, 25th Days of *October*, 1700, and in the 12th Year of His Majeſty's Reign.

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187 Admiralty Court-of

THE Court being ſate, and the Commiſſion Read, the Jury conſiſting of Half Engliſh, and Half French, were call'd and Sworn, whoſe Names are as followeth.

| Engliſh. | French. |
|---|---|
| Mr *Jhon Long*, | *John Tremiſtree*, |
| *Joſeph Wellar*, | Peter *Cambree*, |
| *John Child*, | *John Gaſteer*, |
| *Edward Mot*, | *Randal Caſteneers*, |
| *Abraham Caſten*, | *Richard Caſteneer*, |
| *James King*. | *Richard Heſtee*. |

After Silence being Commanded, the Priſoners following were brought to the Bar, and ſeverally Arraign'd for Pyracy and Robbery on the High-Seas. Their Indictment where as followeth.

That the ſaid Pirates, in conjunction with others of their Crew, did under the Command of *Lewis Getar* their Captain, on the 28th of *April* laſt, being on board a French Pirate call'd the *Peace-Gally*, on the High Seas, within two Leagues of *Cape Henry* near *Virginia* aſſault in a violent and hoſtile manner, an *Engliſh* Merchant Ship, called the *Nicholſon*, *Robert Lurtain* Commander, and after and obſtinate Reſiſtance of about an hour and a half, took and carried away the ſaid *Engliſh* Veſſel, making Prize of 3000 *l.* in Silver and Gold, beſides 700 Hogſheads of Tobacco, valu'd at 2000 *l.* and at the ſame time carried the ſaid Veſſel and Cargo into *Lyn Haven* in the *Weſt-Indies*; but the *Shoreham* Friggat coming at the ſame time into that Bay, the Pirate threw moſt of the Tobacco over-board, and Engaged the Engliſh Friggot; but after ſome hours diſpute, the *Shoreham* took the ſaid Pirate, and ſent the Men for *England*; and being ſeverrlly Arraign'd, they pleaded Not Guilty to their Indictment.

Whereupon the King's Evidence were call'd and Sworn, *viz. Robert Lurtan* Captain of the *Nicholſon*, *William Hunt* *Ward*, *Thomas Biluſtan* and *Thomas Jacobs*.

*Liwis Getar* the Cadtain was firſt Examined, who pleaded, that what he did was by the Compulſion of the ſhips Crew, and argued, that he was forc'd to take the Command of the *Peace Galley* upon him, and to turn Pirate. But the aforeſaid Evidence made it appear that he was very buſy to put the Captain of the *Nicholſon* down in the Hole, and did not any way behave himſelf like one compell'd to that undertaking: he thereupon in his defence produc'd a Letter in Court, containg ſeveral Arguments, of his endeavouring to ſurrender the Ship to the Governor of *Virginia*; but not making proof thereof, and the matter being plain againſt him, he was found Guilty of the ſaid Piracy and Robbery.

*Renock Follisboy*, by his Interpeter alſo alledged that he was forced on board the ſaid Pirate, and tho he own'd he was actualy at the taking the *Nicholſon*, yet he pretended it was againſt his conſent, but two of the Kings Evidence, being poſitive that he came on board the Merchant Ship, with great Fury and Reſolution, he was after a fair Tryal found Guilty.

*Samuel Elſnel-* was next Examined, but it appearing that he was no way conſenting to the ſaid Piracy; but on the contrary was conſtrain'd to act, tho unwilling therein, he was thereupon acquitted.

*Albert Lebley*, being ſet to the Bar alledged, that he was obliged to Engage againſt the *Nicholſon* by the threats of his Captain, but the Kings Evidence making it appear to the contrary, he was found Guilty of the ſaid Piracy.

*Francis Lelaveen* the next examined by the Court but the Evidence not in the leaſt taxing him of being concerned in the ſaid Pyracy he was acquitted.

*Francis Blann*, a Boy of about 13 years of age was next arraigned, but the Court conſidering his youth, and that he did not underſtand the meaning or at the leaſt conſequence of that undertaking, he was acquitted.

*James Setoot*, a Lad of about 15 years of age, was acquitted by reaſon he was very much inpiſoned at the time the Piracy was committed.

*James Tevet*, was next examined, but he alledging he was actually forced to engage in that Piracy, and the Kings Evidence ſpeaking in his favour he was brought in not guilty.

*Heer Van Aſteer*, a Dutch man, and Cook of the Ship, was the next that was tryed, but it plainly appearing by him, as well as the Kings Evidence, that he was [illegible] Action, he was thereupon A-

*John Golden*, a young Lad under 14 years of age, was next Examin'd, but the Evidence not being poſitive againſt him, and it appearing that he was entic'd among them, he was Acquitted.

*Denoy Piloque*, by his Interpreter made a long and tedious defence, but he not proving his Allegations, he was thereupon found Guilty.

*Rinald Hughno* was then Try'd for the ſaid Piracy, and the Evidence being plain againſt him, and he making but a frivolus defence, he was found Guilty.

*Peter Scheveleer* was next Arrain'd, and the Captain of the *Nicholſon* and others being poſitive againſt him, he was found Guilty.

*Michael Painteer* was try'd alſo for the ſaid Piracy, but it being plainly made out by the Kings Evidence, that he was forc'd on board the Pirate Ship, he was thereupon Acquitted.

*Peter Shomencer* was next ſet to the Bar, and tho he uſed Many Arguments by his Interpreter, to invalidate the Credit of the Evidence, yet the matter of Fact being prov'd againſt him, he was found Guilty of the ſaid Piracy and Robbery.

*John Amony* being ſet to the Bar, alledg'd by his Interpreter as the other, that he was forc'd into the ſaid Piracy by Captain *Gateer* and others, but the Evidence ſpoke ſo home to the matter, that he was brought in Guilty.

*John Johnſon*, upon his Tryal alledg'd that he was caſt away and took up by a Privateer, and by her turn'd over to the *Peace-Gally*, declaring he intended to get away as ſoon as poſſible, and the Evidence not ſpeaking to the purpoſe, he was Acquitted.

*James Sholoon* being Arraign'd, told the Court, that 140 Men were in the Privateer at firſt, but declared, that he was very Lame, and not fit for any Enterprize; notwithſtanding, the Evidence affirming the contrary, and it appearing that he was very active in the aforeſaid Action, he was thereupon brought in Guilty.

*Peter Leſter*, Try'd for the ſaid Piracy pleaded not Guilty, and endeavour'd to inſinuate that he had attempted to eſcape from his Companions. However, it was made out by the Evidence, that he was violent in ſeizing the *Nicholſon*, he was thereupon found Guilty.

*Peter Compenant* was next Arrained, at which time the Kings Evidence plainly made it apparent that he was the moſt vigorious in ſeizing the *Nicholſon*, and oppoſing the *Shoreham* Frigot. and tho he aledged in his Defence, as the reſt of the Pirates Crew had don before, that he was forced thereunto it did not avail, for the Jury having conſidered the mater, brought him in Guilty of Pyracy and Robbery.

*Chriſtopher Gill*, was alſo Tryed for the aforeſaid Piracy and Robbery, who utterly denied that he acted therein, any further than he was compelled by his Captain, but Mr *Jacobs* Carpenter of the *Nicholſon*, being poſitive that he was one of the forwardeſt in that raſh undertaking, he was thereupon brought in Guilty.

*Joſeph Brouſe* was next ſet to the Bar, and pleaded ſtrongly by his Interpreters that he was not in the leaſt concerned in the aforeſaid Piracy, alledging that he was very ſick, and Lame at the ſame time, but the Evidence affirming that they could not perceive neither any infirmity, or defect in his Limbs, but on the contrary, all the induſtry imaginable to promote the ſaid Piracy, whereupon the Jury brought him in Guilty of the ſame.

*Francis Lanſanſey* was next brought to the Bar, when the Evidence againſt him was Captain *Lurtain*, who declared that the Priſoner ſeemed very buſie in putting him into the Hold, which Evidence was alſo ſtrengthened by Mr *Jacobs* the Carpenter, and one *William Hunt*, who affirmed that he fought with fury and reſolution againſt the *Shoreham* Friget, who releaſed him and the reſt of the Ship Crew, whereupon the Jury brought him in Guilty of the ſaid Piracy.

*Peter Aompaſian* was Try'd for the aforeſaid Piracy and Robbery, the Evidence againſt him was the Captain with his Boy, and two others, who alſo depoſed that the Priſoner, with many other of his Gang, came on board the *Nicholſon*, on the 28th of *April* 1699, and making themſelves Maſters of the ſaid Veſſel, they ſeized the Captain and put him with 50 Engliſhmen into the Hold, where they uſed them very ſeverly; and tho he denyed the whole charge and pretended ſeveral Excuſes, it did not avail, for he was found Guilty of the ſaid Piracy.

*Elias Fujee* was call'd, who being charged with the aforeſaid Piracy and Robbery, by Captain *Laurten* and others of the Kings Evidence; but he making it appear that he was forced on board by the Quarter-Maſter of the Pirate, and that he was taken at ſea by them out of a ſmall Bark by compulſion, and no Evidence being poſitive as to any marter of Fact he was Acquitted.

*Lenord Flewer* was Arrain'd on the ſame Account, and ticular Circumſtans alledged by them, and he having little to ſay in his defence, except that common Excuſe, which they in general made uſe of, that being forced, he was there upon found Guilty.

*Francis Mombaſa* was next Examin'd, againſt whom the Captain made Oath that he came on board his Ship and threatned him with Death if they reſiſted, uſeing his Men very Inhumanly; he in his defence, ſaid that what he did was through fear of his Captain, with other inſignificant Arguments, which did no way midicate the offence, ſo he was found Guilty.

*Charles Dinant* was charged with the ſame Crime, by four of the Kings Evidence, and he not making any proper defence, he was Convicted.

*Peter Boyce* being Try'd for the ſaid Piracy. Alledged that he was taken out of a Merchant Ship ſome Months before, ſtrip'd Naked and forced on board the *Peace-Gally* by the Pirates, but the Evidence depoſed that he was one in great Eſteem among them, and Fought againſt the *Shoreham* to the laſt extremity, he was thereupon found Guilty.

*James Morro* was charged with the ſaid Piracy, who in his defence alledged that he was a Hunting in the Woods with ſome other near the *Spaniſh-Seas*, and ſome Pirates Landing there took him and forced him to joyn, with them, but he not proving it, and the Evidence being all poſitive againſt him he was found Guilty.

*Peter Gero* being Examin'd, endeavoured to inſinuate that he was taken in a Conough by the ſaid Pirates in the Bay of St *Marks*, and forced to go allong with them, and that he endeavored to eſcape ſeveral times; but it being prov'd in Court to the contrary, he was found Guilty.

*Francis Lavoy* was charged with the ſaid Piracy, as being taken among them, but he Pleading that the Quarter Maſter forced him on board, and the Kings Evedence not being poſitive againſt him, he was thereupon Acquitted.

*John Rupert*, was Examin'd, who ſeem'd to alledge that he was brought on board the ſaid Pirate by force; but the Evidence, who was in the ſaid Pirate before him, proving it otherwiſe, he was found Guilty.

*Michal Danel*, in his defence inſiſted that he was taken out of a Merchant Ship, and perſwaded to go allong with the Pirates, which he did, not knowing them to be ſuch; but one *Hunt* the Kings Evidence and the Captain of the *Nicholſon*, making it appear to the contrarty he was found Guilty.

*John Donough* Try'd for the ſame Offence, made many frivolous Excuſes by way of evaſion, but the Kings Evidence being very plain and poſitive againſt him he was found Guilty.

*John Durant* was Try'd, who alledged that he was taken by another Pirate ſome Months before, and after that forced on board the *Peace Gally*; but three of the Evidence being plain and poſtive againſt him he was found Guilty.

*Peter Lorroy* was next Examin'd, who in his defence, declared in Court that he was ſurprized by the Pirates as he was a Hunting near the Sea ſide in the *Weſt Indies*, but no manner of proof appearing in his behalf, he was found Guilty.

*Peter Lecrue* made ſuch a like defence; but the Evidence ſpeaking home to the matter he he was found Guilty.

*Francis Giliharbert*, being accuſed by the Kings Evidence alledged by way of defence. that he was taken out of a Merchant Ship, by the ſaid Pirate as he was Sailing to *Martinego*, and ever ſince conſtrain'd to ſtay among them; but one of the Evidence depoſed that he was more cruel than any of the other Pirates, by not only Beating him when they took their Ship, but put firſt his Thumb, and then his Little Finger into a Screw, torturing him and others in a barbarous manner, and then threatened to cut his Head off, if he did not diſcover where the Money lay; and then ſaid it was brave Sport to Torment them; which in part the Priſoner confeſs'd, ſo that he was found Guilty.

*Gerard Maſtamel* was next Examin'd, and was charged by the Kings Eviden ot acting cruelty to the Engliſh Priſoners in Beating and Torturing them as aforſaid, and having little to alledge in his Vindication he was alſo Convicted.

*Peter D' Pompion*, in his defence alledged that he was taken out of a Merchant Ship and, was kep't by force among them till they were taked by the *Shoreham*; however the Kings Evidence, eſpecial *Will. Hunt*, ſpoke ſo poſſitive againſt him that he was found Guilty.

*John Leweey* being charged with the ſaid Piracy, in his defedce declared by his Interperter, that being taken by the *Spaniards* in a Wood in the *Weſt Indies*, and making his Eſcape, waited for a Ship to get away, met with the Pirate, in which he entered and not knowing

it to be such, was detained among them, whereupon he was Acquitted.

*John Migil* was next Examin'd, who alledged that he, was taken in the *Spanish* Woods, forced among the Pirates, and detained among them, and no Evidence being positive against him he was Acquitted.

*Francis La Garden* was also Try'd for the said Piracy, but pleading that he was forced on board the Pirate, and the Kings Evidence speaking partly to the same Effect, he was Acquitted.

*Francis Lorman* Try'd for the said Piracy in his defence he alledged that he was Inticed to the *South-Seas*, and that he should have good Wages, and the Ship prov'd a Pirate, with other foreign Arguments; but the Evidence depoſing that he had been along time in the Pirate without endeavouring to Eſcape, he was thereupon brought in Guilty.

*Francis Parrot* was then Examin'd, againſt whom the Evidence declared that he cauſed the Captain to be put into the Hole, and uſed great Violence to the *Engliſh* after they had taken Veſſel, and he saying little to the purpoſe was found Guilty.

*John Lenigney*, *Try'd for the ſaid Piracy*; *alledged in his defence that being a Taylor, ſome Marin'rs perſwaded him to go on Board to work on his Trade, but when at Sea they told him they had other work for him: And the Kings Evidence not being poſitive againſt him he was acquitted.*

*John Johnſon*, *being Examind*, *declared by his Interpreter that he was taken in a Dutch Merchant Ship*, *which the Ship-crew made a Pirate of*, *and forced him to continue on Board*, *tho' he often attempted to Eſcape*, *which ſome of the Kings Evidence ſeem'd to acknowledge whereupon he was acquitted.*

*Andrew Rudolf in his defence alledged that he was inticed on Board the Pirate not knowing it to be ſuch, by the Captain and others, by promiſing him good Wages*, &c. *But all the Kings Evidence depoſing to the contrary, by affirming that he came of his own accord, he was thereupon found Guilty.*

*Charles Boyl being charged with the ſaid Piracy, endeavoured to excuſe himſelf by alledging he did the ſame then to be Pirates when he went on Board; and further inſinuated that the quarter Maſter made him Drunk before he went from Domingo; but on the other hand the Kings Evidence ſaid he was not Drunk, at that time and knew very well they were Pirates, ſo that he was found Guilty.*

John Boden was next Examin'd, who by way of Excuſation alledg'd that he was taken by the Pirates from on ſhore at St. Domingo and forced on Board the Pirates, but it appearing otherwiſe by the Kings Evidence, he was there upon found Guilty.

*John Pointeril being Examin'd, alledged that, he was taken in the Woods as he was Hunting, and forced on Board among the Pirates from whom he could not Eſcape, tho' he endeavoured it; but ſeveral of the Evidences ſpeaking poſitively againſt him he was found Guilty.*

*Abraham Mollack Try'd for the ſaid Piracy and Robbery, declared by an Interpreter that the Pirates took him out of a Veſſel by force, and produced ſeveral Witneſſes to that Effect, and none of the Evidence being poſitive againſt him he was acquitted.*

*Anthony Coal being next Examin'd, alledged in his defence that being in the Spaniſh Woods a Hunting near the Seaſide the Pirates Boat there Landing, the Crew took him away by violence and detain'd him among them; But ſome Evidence making it appear to the contrary he was found Guilty.*

*Peter Lafountain pleaded in his defence that he with others, were taken out of a Wood where he was Hunting and carried on Board the Pirate and there kept by force, and the Evidence not ſpeaking to the purpoſe he was acquitted.*

Nicholas Pontion *alſo made the ſame defence, but with leſs ſucceſs for the Evidence being poſitive that he was very active in the Piracy he was thereupon found Guilty.*

*Francis Daniel, being Try'd for the ſaid Piracy, alledged in his defence that he with ſeveral others was forced on Board the Pirate from a Merchant Ship near Anteigo, and ſome of the King. Evidence ſpeaking partly to the ſame purpoſe he was Acquitted.*

*Francis Gallamy* being Examin'd declard in his defence that he was inticed on board the ſaid Pirate, to work on his Trade, he being a Carpenter, and that he did not know it was a Pirate, till they took the Ship call'd the *Nicholſon*, at which time he deſign'd to make his Eſcape; but not proving his Allegations, and the Evidence being poſitive againſt him he was found Guilty.

*James Randal*, on his Tryal alledged that he was Decoy'd on board by a Dutchman, who told him that he ſhould have good Wages for a Voyage to *Virginia*; Howeve it being made appear that he acted willingly and Chearfully among the Pirates, and ſeem'd Induſtrious to promote their unlawful Attempts, he was found Guilty.

*Michael Anderſon* Dutchman Try'd for the ſaid Piracy, in his Defence alledg'd that going on board a Dutch Merchant Ship to work at his Trade (he being a Carpenter) he was taken thence by the ſaid Pirates, and forced along with them; which the Kings Evidence could not contradict, he was thereupon Acquitted.

*Francis Drewry* was alſo Try'd for being concern'd in the ſaid Piracy, who in his defence endeavoured to inſinuate that he was compell'd on board the Pirate, and ſaid the very Evidence againſt him knew it; but they on the contrary affirm'd that he came Voluntary on board without any manner of conſtraint, whereupon he was found Guilty.

*Black Moro being Examin'd, alledged that the Pirates Crew took him from off a Veſſel call'd a Canoa, and forced him on board their Veſſel, which the Evidence them ſelves could not Contradict, whereupon he was Acquitted.*

Lewis Boulon *was next call'd to the Bar, and charg'd with the ſaid Piracy, but he alledging that he was ſtol'n from on ſhore by ſome of the Pirates, telling him he ſhould have good Wages, and ſo Decoy'd him on board and kept him by Compulſion, and the Evidence not being very poſitive, he was Acquitted.*

Francis Bown *in his defence alledged that being a Hunting there came a Pirate Shallop near the Shore, and took him by force, and ſo detain'd him; but the Evidence affirming that he us'd to be very active in promoting their Piratical Projects he was found Guilty.*

John Durantia, *alledged that he was taken on board a Dutch Ship call'd the* Barnard, *and continued in the Pirate ſeveral Months by conſtraint; but three of the Kings Evidence ſeemed to acknowledge, ſo that he was Acquitted.*

Peter Luno *being call'd to the Bar for the ſaid Piracy and Robbery, he endeavoured to Extenuate his Offence by alledging that he was Decoy'd on board by one of the Crew, whom he did not ſuſpect to be a Pirate, whereby he was detain'd againſt his will, but the Captain of the* Nicholſon *and one Hunt, a Lad ſpeaking poſitively againſt him as to matter of fact, he was found Guilty.*

Peter Trenton *Indicted for the ſaid offence; but he alledging by his Interpreter, that he was forced on board the Pirate, and the Kings Evidence partly acknowledging the ſame, he was Acquitted.*

*Peter Limber being call'd to the Bar, declared in his defence that he was taken on board a Veſſel, laden with Wine and Brandy, and that having Plundred the ſaid Ship, they took him and others away by force, and the Evidence againſt him not being ſufficient to Convict him, he was Acquitted.*

*Peter Lubard* being Arraign'd for the ſaid Piracy, alledged that he was taken on Board the Pirate by force, but the Kings Evidence being poſitive againſt him he was found Guilty.

*Antony Merrit*, being Examin'd declared by his Interpreter that he was made Drunk and ſo deco'd on Board the Pirate, and the Evidence not being poſitive againſt him he was acquitted.

*Joſeph Lafour*, being Indicted on the ſame account, alledged that he was taken by force, from on board a Veſſel laden with Corn and kept among the Pirates againſt his conſent, he was thereupon acquitted.

*John Boris*, inſinuated that he was not ſenſible they were Pirates when he entered on board the ſaid *Peace-Gally*, and that he endeavoured to Eſcape ſeveral times, but it appearing o herwiſe by the Kings Evidences he was thereupon found Guilty.

*Joſeph Lazardo* was next Examin'd, who in his defence aſſerted that he was taken by force from on ſhore, by ſome of the Pirates Crew, and the Kings Evidence themſelves, not contradicting him he was acquitted.

*Michael Lefer*, being Indicted for the ſaid Piracy alledged that he was taken from on board a Merchant Man by the Pirates, and kept among them againſt his conſent; but on the other hand, the Kings Evidence made it appear that he was from firſt to laſt moſt active in promoting the ſaid Piracy and Robbery, ſo that he was found Guilty.

*Peter Folly* was next Examin'd and pleaded not Guilty, but his excuſes being not at all to the purpoſe, he was found Guilty.

*John Lafoon* being Try'd for the ſame offence, declared by his Interpreter that he was forced on board the Pirate in the *Weſt-Indies*, and compell'd to act tho unwillingly among them, which the Kings Evidence in part acknowledged; he was thereupon acquitted.

*Francis Drewry* on his Tryal made the ſame defence as aforeſaid, but what contrary ſucceſs for four of the Kings Evidence depoſing that he was more than ordinary active in the ſaid Piracy, he was found Guilty.

*John Poſſer* Indicted for the ſaid Piracy and Robbery alledged that he was taken out of a Merchant-ſhip and and forced to act contrary to his Inclination in the ſaid Pirate, but it appearing otherwiſe by Two of the Evidence againſt him, ſo he was alſo found Guilty.

*John Dubyce* and *Peter Manguino*, where both Try'd on three Indictments, the firſt for Robbing, Rifling and Plundring the aforſaid Merchant Ship call'd the *Nicholſon*, the Evidence being very poſitive againſt them. The ſecond for Robbing and Plundring a Merchant Ship call'd the *Indian King*, Ship and Tackle valued at 300 *l.* 100 Hogſheads of Tobacco, valiue 3000 *l.* 100 Ounces of Silver, value 20 *l.* The third Indictment was for Robbing, Plundring and Burning the *Penſilvania* Merchant Ship and Tackle valued at 600 *l.* 200 Cloth, Coats, and 80 Briches of a conſiderable vaine the Evidence againſt them, depoſed that they were both more active and reſolute than ordinary in all their Pirates, and they having little to alledge in their own defence, the Jury brought them both in Guilty of three Indictments.

*Peter Clergy* was Try'd on all the aforeſaid Indictments, but he alledged that he was taken on board the Pirate by force, and it appearing by the Kings Evidence that he acted on the ſaid Veſſel only as Surgeon; he was thereupon acquitted of all three Indictments.

*Julian Laſcon*, *Peter Languno*, *Oliver Stocaſter*, *Rene Hughue*, *Lawrence Carjon*, and *William Pheine*; were all 6 Try'd on the aforeſaid Indictments, but it appearing that they were caſt-away and taken up when in great diſtreſs and danger, by the ſaid Pirates, and kept on board by force, which the Kings Evidence did not deny, ſo that they were all Six acquitted of the ſaid Indictments.

*John Cox* was then Indicted for Drowning or Choaking *Thomas Shepard* on the 2d. of *July* at *Harbar-main*, near *Newfoundland*, in the *Weſt-Indies*, the Evidence againſt him was *John Knight* who depoſed, that the Priſoner, Mr. *Shephard* and himſelf being in a large Fiſhing Boat on the ſaid Coaſt about 3 a Clock in the Morning when having been Drinking moſt part of that Night, the Priſoner without any manner of provocation threw Mr. *Shephard* over board, which the Evidence ſeeing got hold of him and pull'd him into the Boat again, whereupon the Priſoner puſh'd him over board a ſecond time, and then he was Drown'd; The Priſoner in his defence alledged that he did not touch the Deceaſed at that time, or at any other, in Anger, and withal inſiſted that the Evidence was a malicious Man, and had Beat the Deceaſed juſt before affirming they were all Three very much in Drink, therefore did think that the Deceaſed fell into the Water by accident and it appearing by the Evidence that no matter of quarel was between the Priſoner and the Deceaſed, the Jury having conſidered the matter brought him in not Guilty.

Captain *Padjeon* and *John Swillivent*, having ſurrendred themſelves, on an Accuſation of Piracy, were brought to the Bar, but none appearing againſt them, they were both Acquitted by Proclamation.

*The 29 Pirates who were acquitted of the Piracy of Robbing the Merchant Ship call'd the Nicholſon beforementioned were called to the Bar on Thurſday in the Afternoon, and Tryed upon two other Indictments, viz. The one of Robbing and Rifling a Merchant Ship called the Indian King, on the High Seas, near Cape Henry aforeſaid, taking and carrying away the ſaid Ship, wherein were Goods and Money of conſiderable value; the other for practically taking, plundering and rifling another Merchant Ship called the* Penſilvania *wherein were Goods of Extraordinary worth and value, the particulars of which are mentioned in the Trials of* John Dubois *and* Peter Manguino, *&c. The Trials of theſe 29 was very tedious; for tho the Kings Evidence were very poſitive, in proving all the ſaid Priſoners on board the Pirate, as taking both the* Indian King *and the* Penſilvania *yet the Priſoners in their defence, made ſuch manifeſt Proof of their being forced on board the Pirate, and the Kin. Evidence themſelves acknowledging moſt of them had endeavored, or at leaſt intended to make their Eſcapes as ſoon as a favourable opportunity offered, except* Peter Rumo. *who had been among the Pirates ever ſince they were but nine in number; ſo after the Court had explain'd the Evidence to the Jury, they brought him in Guilty of both Indictments, and acquitted the reſt.*

*The Tryals being over, the Court proceeded to give Judgment as followeth, viz.*

Received Sentence of Death, 52.

*Lewis Getar, Reyne Follibon, Albert Lebly, Deno Peloque Renat Hughue, Francis Ly Sanguina, Peter Shevelier, Peter Peter Deleymenaſter, John Antonia, Peter Champaign Chriſt Gill, James Salene, Joſeph Bycuſe, Peter Mompaſſa Lenard Peler'd, Francis Fombel, Charles Demeree, Peter Boyce, James Morris, Peter Gero, Joſeph Renew, John Robert, Michael Daniel, Joſeph Durant, Peter Lacrol, Francis Gilyichabert, George Dicheponea, Peter D' Pomp Francis Arman, Francis Fugee, Andrew Reden, Charles Boy, John Bydel, John Peiberel, Anto Cooet, Francis Feme, James Randan, Iſaac Freiſeuer, Francis Boy, Jo Durantia, Peter La Fountain, Ralph Lumber, Peter Sheard, John Boris, Michael La Feuer, Peter Folly, Francis D'urry, John Poſſuer, John Deboy, Peter Mirguino.*

Note. *The Ordinary of* Newgate *being Indiſpoſed Eminent Divine is to Preach the Condemn'd Sermon Morrow in the Morning and Afternoon.*

Printed according to Order.

*LONDON*, Printed for *W. H.* near *Fleet-Bridge*, 1700.

*A ſad Account of the unhappy and deplorable Torture, and terrible Death of*

# Mr. PARKER a Tobacconiſt AT Shaklewel near Hackney;

*Who was miſerably Torn and Mangled by three Doggs his Leggs and Arms, bring almoſt knawd in Pieces by them in ſuch a dreadful and terrible manner, that he Died in ſad Pain and Torture on* Monday *morning laſt, and was Buried at* Hackney *on* Wedneſday, *the* 18*th of* September 1700.

Printed according to Order.

MANY and various are the ſudden Accidents, and deplorable Misfortunes that all Mortals here below are daily ſubject to; being one hour in Health, and many times before the next ſnatch'd into Eternity, and not always by natural Sickneſs, and ſuddain Diſtempers of the Body, but ſome times by dreadful, ſtrange and uncommon Accidents; for tho the beſt of Mankind, has but one Life to looſe, yet there is a thouſand ways whereby he may be deprived of it, and that too, when he the leaſt expects it, as this unhappy Inſtance following moſt ſadly demonſtrates.

Mr. *Parker* and eminent Tobacconiſt, for the conveniency of the freſh Air, taking a Lodging at *Shacklewel* near *Hackney*, at the Houſe of one Mr. *Clark*, where he had continued for ſome time, and being a ſingle Man, he only Traffiqued without keeping any Shop, and ſo Liv'd retired and privately at the place aforeſaid: But on *Friday* the 6th of this inſtant, he was Invited, to the eating of a Pigg at *Elford*, where he went accordingly, with ſome others, and was very Merry till towards the Evening, at which time ſeveral of the Company (being *Londoners*) accompanied him to *Kingſland*, where they ſet up their Horſes; when after having Drank together, and it growing towards ten of the Clock, and being then very Dark, they thought it adviſable to walk over the Field with him, till he was out of the danger of foot Padds, which accordingly they did, accompanying him till he was as far as the Ponds in Shaklewel, where they took their Leaves of him, deſiring him when he was over the Green, to give them notice by a Hallow or ſuch like noiſe, aſſuring him they would ſtay till they heard him; ſo after he was about the middle, and thinking himſelf paſt all Danger, he gave them the appointed Signal, which his Friends hearing, bid him good Night and departed to *Kingſland*, and ſo for *London*; But the unfortunate Mr. *Parker*, tho not far from his own Lodging, had with his lowd ſpeaking to his Friends, Rouſed 3 great Doggs belonging to a Cowkeeper near the Green who came ruſhing out upon him with ſuch ſudden Fury, that he was not long able to defend himſelf, from their unmerciful Jaws, for he having but a ſmall Stick in his Hand, and none coming to his Aſſiſtance, tho he often cry'd out for help. they at length got him Down, and all three tore his Leggs and Armes in a ſad and dreadful manner, eſpecially the Bull Bitch, who firſt Seized upon his Leggs, the Maſtiff and Spaniel, tearing him by the Shoulder and Arms, during which time tho' he was in great Torture he with much difficulty got his Knife out of his Pocket, and had Kill'd the Bull Bitch with it, had not the Spaniel unfortunately at the ſame inſtant, griped him by the Wriſt, with ſuch Violence, that he could hold his Knife no longer, but let it fall out of his Hand, and thereupon was forced to ſubmit to their ravenous and devouring Fury for a time, and the raither becauſe when he did not Strive, they were the leſs enraged; inſomuch that recovering ſome Breath he got the great Dog under him ſeveral times but not finding his Knife, he was totally over powered, and tortured again in a ſad and dreadful manner.

But being not able to make any more reſiſtance againſt them, the great Dogg beat the other off, and would not let them meddle with him, and at laſt went away himſelf; whereupon finding they were gone, (tho very much torn) he got on his Leggs and was going as well as he could, toward his Lodgings; but not being able to refrain from groaning and making moan, the ſame Doggs returned again upon him a ſecond time, and pulling him down, they lay Tareing and Sucking his Blood, till 2 a Clock the next morning, at which time Juſtice *Toſſon*'s Lady hearing him groan and make a Noiſe, ſhe awaked her Husband, who immediately call'd up his Servant and ordered them to Arm themſelves, & ſee what was the matter, ſuppoſing ſome Robbery had been Committed; but coming upon the Green, they found to their wonderful amazement the unfortunate Mr. *Parker*, whom they knew, almoſt torn in Pieces, the grat Maſtiff lying between his Leggs knawing his Fleſh, and ſucking his Blood; whereupon they carryed him to his own Lodging, it being very near, where notwithſtanding all the care of ſeveral ſkilful Surgeons, he continued in great Pain and Torture, from Saturday the 7th. of this inſtant till Monday Morning laſt about 9 of the Clock, at which time he expired to the great grief of all his Sorrowful Relations. It was obſerved that his left Legg was almoſt knawed quite in ſunder; as alſo one of his Arms, being ſadly Torn and mangled in ſeveral parts of his Body!

*The Corohners Inqueſt ſate on him Yeſterday morning and brought it in Accidential misfortune, and laſt night he was buried in* Hackney *Church Yard.*

*London*, Printed for E. Hawker near *Bridges-Lane*, 1700.

515. L. 2 ✠ Westminster, Court of Exchequer
189

# AN ACCOUNT OF A Bold Desperate and Notorious Robbery,

*Committed on* Monday *Morning last, in His Majesties* Exchequer *at* Westminster. Particularly.

How several strong Doors, Locks, Chests, and Desks were forced open; with an Account of the quantity of Money that the Thieves carry'd off, and how strangly they made their Escape, with other remarkable Circumstances.

NOtwithstanding, the great care of Magistrates of this great and Populous City, in putting the Laws in Execution against Fellons, House breakers and such Notorious Offenders, and the Terrible Examples of Justice, almost every month of the Year upon such Criminals, paying no less then the Price of their Blood for such Lawless, Violent and Irregular undertakings: Yet such is the growth of Vice and Villany, that no attempt tho' never so Odious, Daring and Prsumptious, but still it is put in practice, as this Notorious Action following sufficiently Demonstrates.

On Monday Morning last, His Majesties *Exchequer* Door was found broke open, the Lock being shatred in pieces, done (as 'tis supposed) by a Betty as they call it, which by its violence forces open all that stands in its way, tho' it be but a small thing in substance. The tellers Office within, was also broke open in the same manner, with all the Desks and Chests except one. in which was above 6000 *l.* in Gold and Silver, it being so strongly pleated with Iron Barrs and great Nails, that their Instruments could not Penetrate it, tho' several attempts had been made upon it, as appears by some Nails and Splinters of Wood that are forced off from it in several places, so that tis thought, some Notorious Persons had secretly conveyed themselves into the said Office on Saturday Night, and while the Clerks were busy in dispatching busines, one or more of them crept under the Table, concealing themselves till the Office was shut up, and then fell to Plundering, but as good luck would have it, (tho' at other times great qnantities of Monies were laid in the said Desks they had broke open) yet that Evening they all were clear'd except one wherein was about Threescore Pound, which the Thieves took away, being all that they obtain'd, notwithstanding this bold and dareing attempt, by exposing themselves to such a manifest and Dangerous Hazard, tho' tis generally supposed that there was a considerable confederacy in this rash undertaking and the reather because so many pernitious Instruments were found, as Betties, Saws, Chissels, little Crows of Iron, &c. all at the further Door of *Westminster Hall*, through which they made their escape into *Old Pallace Yard*, by forcing the Lock of the Door (tho' seemingly invncible) all to pieces, so that had not they been disturb'd, or at least under some apprehension of fear, those Tools had been sufficient to have forced open what Chests or Doors they pleased; and consequently have gone off with as much more Riche Boory than they did, there being not above 60 *l.* lost out of the whole Office Several Persons were Yesterday taken up and Examin'd about it, but as ye no discovery can be made of the Authors of this Robbery: However to prevent the like attempt for the future, Carpenters are ordered to Nail Boards round about the Table Frames, to hinder any Person from concealing themselves under it, and the outward Doors also will suddainly be strengthened & repaired, with new Bolts, Barrs, &c.

Printed for *J. Kingston, in the Strand.*

Q. 787

A True

# Copy of the Letter that was ſent,

BY

# Gerhard DREMELIUS,

The *Dutch* Drawer,

515. L. 2.
795

To his Father in *Nienburg*, *HIGH GERMANY*, ſome Days before he was Executed for the Murther of Oliver Norris, *Eſq.* Wherein is Expreſſed, his full and Particular Confeſſion of the ſaid Murther; how it was perform'd, with ſeveral ſtrange Diſcoveries relating to that Barbarous Action; never before made Publick.

*Being Faithfully Tranſlated from the* Dutch *Copy, and now Publiſhed at the requeſt of his Friends.*

*Honoured Father and Mother,*

I cannot but Notify to you my Miſerable State; being here in Priſon, and to be Executed this Day ſeven Night, for the Murther of an *Engliſh Cornet*; but pray be not diſtreſſed, tho' I know very well that I ſhall not be much lamented; having ſpent the time of my Youth in Idleneſs to your ſorrow: Nevertheleſs I hope you will never remember it any more, but forgive me the Offences I have Committed againſt you; whereas I forgive you all, tho' indeed I cannot ſay you ever wrong'd me: I hope you will pray for me once in your Church, and I beſeech you my dear Father, never to Swear at and Damn your Children as you have often done me, and them, when I was at home with you; thoſe Curſes and Damning Oaths againſt me, it may be, are in ſome meaſure, at leaſt, the cauſe of this Calamity which is come upon me: But I pray you, dear Father, do not take it Ill becauſe I tell you the Truth: I do beſeech you once more, forgive me heartily what I ever have Committed againſt you, and all Men: Be pleaſed alſo to tell my Brethren and Siſters in my Name, to take an Example by me, that they fear God the more, in diligently Reading and Praying with Sincere Hearts, then will God never leave them to themſelves, when they pray to him with a pure Heart: I confeſs I have prayed ſometimes to God according to my meaning, but alaſs! it was without a true Devotion, otherwiſe God had never ſuffered me to fall into this Miſery; but as God has ſent this Puniſhment, he will enable me to bear it with Patience, the which I am ready to undergo for my Trangreſſions ſake, not doubting but God will have Mercy upon my poor Soul. I muſt alſo deſire of you to let *Jochem* my Brother (as much as is in your Power,) learn ſome Trade, and if he be ſtill in the Service of a Gentleman of War, pray take him from it, for he learns there nothing but Evil; let him think on me, that he may never come to ſuch a ſad and fatal misfortune. I do not know what to Write more, but remain your Dear Son till Death, which is now near approaching, with delight will undergo, and follow my Dear Mother and Brother into Eternal Life, where we ſhall meet in Happineſs through the Merits of our Lord and Saviour Jeſus Chriſt, Amen.

Here in theſe Churches Prayers are made for me; & I ſhall become a good Burial: Further I heartily wiſh you all together much Proſperity and Bleſſings, and after this Life Eternal Salvation.

*In theſe following Lines, I ſhall as briefly as poſſible, Inform you, how my late unhappy Misfortunes Commenced.*

I Lived near five Months in a Tavern, where I ſerved as Drawer, only for my Victuals ſake till I could find a better advantage: I went out one Day to look for a Veſſel Bound for *Sweeden*, that I might go over thither, but miſſing of it, I came back, where at my Maſters Houſe, I found 2 Gentlemen a Drinking, one of them, who is now Dead, lying with his Head upon the Table a Sleep, ſo I went into the Kitchen, and got my Goods together for to bind them up; in the mean time one of the Gentlemen was gone away, and had left a Letter, where to Conduct the other, (when awaked) to his Horſe, otherwiſe to get him a Bed: A little after the other was gone, he awaked, at which time my Miſtreſs went to him and asked, if he would go to Bed a little, or go home, telling him his Friend had left a Letter, where to find his Horſe; but he began to Scold at my Miſtreſs, ſtriking at her Face with his Cravat; this ſhe took not amiſs, ſeeing he was Drunk: In ſhort, this laſted from Eight a Clock till Eleven that Night, continually ſaying, he would have ſatisfaction, tho' no Body knew for what, drawing ſeveral times his Sword upon my Maſter, when I as often took it from him, and put it aſide, at laſt he told us he would go home, whereupon I gave him his Sword again, at which Moment, he ſaid he would [illegible] all Night at our Houſe; ſo that my Miſtriſs prepar'd a Bed for him: But

ſome

ſomething after Eleven, he told us again that he would go home, at which time my Miſtriſ ſaid to me, *Gerrard*, go home with him, ſo putting his Sword by his ſide, I having my Stic took him by the Arm, and went along with him, in order to Conduct him home, but no far from our Houſe, he would go into ſome old broken Houſes to unty a Point; I tarryin till he had done, at which time getting up, he pick'd a Quarrel with me, Swearing and Damning moſt Cruelly, but that I did not mind, but prayed him to go along with me, not being willing to leave him becauſe he was Drunk; whereupon repeating ſome ſad Oaths, he drew his Sword and ran at me, which I obſerving gave him a blow with my *Spaniſh* Cane on the Head, and then fell upon him, holding his Sword, and ſo we ſtruggled together till we came to a Broken Wall, where we tumbled both over it upon the ground, I lying uppermoſt, he preſently endeavoured to drive his Sword into my Body, which putting me in a rage, I bow'd his Sword ſo much that I gave him ſome pricks in his Body, having then his Sword at my will, I thought to go home, but when I ſaw that he removed himſelf, as I went back and ſtrip'd off his Coat and Waſtcoat for to give him ſome Air, but hearing the Watch, and it being (as I thought) impoſſible to get away, and fearing they ſhould hear and take me alſo up, becauſe he made a great Noiſe with Snoaring and groaning; I took my Knife, and Cut his Throat, and then taking his Shirt and Cravat dip'd them into the Wound to dry up the Blood, that no Blood might be found at the place, and in this Faſhion I ſtay'd till the Watch was gone by; and then I went home, and asked the Hamper of my Miſtriſs, which ſhe gave me, in which I put all my Goods, which I fetch'd down Stairs; in mean time my Miſtriſs went to Bed, after which I got the Key of the Coal-ſeller, and took thence the Shovel, and went out again to Bury the Corps, but my Shovel being not fit for it, I ſpyed a Ditch, toward which he was tumbled; I thereupon put him into it, having firſt ſtrip'd him off all, except his Boots, which I could not tell how to get off, as for his Breeches I cut them off with my Knife; and having thrown him in the ſaid Muddy Ditch, and covered him as much as I could ſee of the white of his *Body*, but the Feet by reaſon of the *Boots* could not be ſeen in the Night, ſo they were uncovered, tho' I thought they were: After this I took his Cloaths altogether, and put them into the Cellar, and then into the Hamper among my Goods, putting them behind the Door for to go away with them, but becauſe it was too ſoon to get away, I went up ſtairs to my Room, lying there upon the *Bed*, reading till about 3 a Clock, at which time I went out with my things and paſſed the Water, and went to the further end of the City to a Tavern, where I ſent a Letter to one of my Country Men, who was a Servant to the Envoy of Zell, whom, when he came, I told, I had done ſuch a Misfortune, that I muſt hide my ſelf for a time: This Man hired me a Room, where I thought to remain, till the Noiſe of the Murther was over; but that very Morning the Murthered Corps being found, by the appearance of the uncovered *Boots*; they went to our Houſe and Seiz'd my Maſter and Miſtriſs, by reaſon they knew he had been a Drinking the Night before at his Houſe, they found alſo the Waterman who carried me away, and caught me in a Room Sleeping, and brought me to Priſon; but before I was caught, when I came into the ſaid Room, I took the Cloaths out of the Hamper, and found in his *Breeches* a Guinea, two Shillings, and ſome farthings in his Coat, which I took out of them; then I rent the Sleeves, and another piece for a Handkerchief out of the Shirt, for a remembrance, that I might know how to pray more earneſtly to the end, that I might never come to ſuch a misfortune again. Ten Perſons now have ſworn againſt my Maſter and Miſtreſs, who both alſo are Condemn'd to Die, for they would have them as Guilty as I am, and God knoweth they are Innocent; but they will have it ſo, and that the Fact was Committed within our Houſe, tho' it is Notwithſtanding falſe; for this is only the true and perfect Account, ſo as I do Notify here as the fact is done: And nevertheleſs we are all three reckon'd as Murtherers; but God knoweth it beſt, what belongeth to me; I know I am Guilty, and have deſerv'd to Die. Likewiſe I alſo Confeſſed; but two muſt Die Innocent, tho' God will find them falſe Witneſſes. The two Sleeves with that Handkerchief, I rent off the Shirt to keep it for a remembrance they ſaid was *Bolſters* wherewith he was Choaked; alſo, ſaid that the Fact was done within the Houſe; that my Maſter held the Gentleman, and my Miſtriſs the Pail under his Throat, while I Cut it: In ſhort I cannot write it all to you, what they have ſworn; the other Cloaths I had bound together, with purpoſe that very Night when *I* was taken, to carry and throw them into the River, but God would not ſuffer it. *I* am now well contented the Lord our God has put upon me this Miſery; and he helpeth me that *I* bear it, (God be praiſed) with Patience. *I* have nothing more to write, wiſhing you all the Bleſſings of the Lord, not doubting but we ſhall ſee one another again in Eternity, whereunto God of his Mercy bring us for Jeſus Chriſt his ſake, Amen.

I remain your Dear Son,

*Gerhard Jurgen Dremelius.*

LONDON *in the Priſon of Newgate*
July *the 5th.* 1700.

LONDON, Printed by *J. Wilkins*, near *Fleet-ſtreet*, 1700.

E. 98. A full and true

# ACCOUNT

Of a ſtrange and wonderful

# DISCOVERY,

*Of an unknown Perſon that was found on* Saturday *laſt, within the top of a Chimney, in the Houſe of 'Squire* Pimm *in* Aurendel-ſtreet, Pickadelia; *ſuppoſed to have lain there for ſeveral Years, his Skin, and Fleſh being dry'd as hard as Shoe-leather; with ſeveral ſtrange circumſtances relating thereto, the like having not been heard of in the Memory of any Man living.*

ABout *Saturday* was Sevennight, the Wind being very Violent, Strong and Tempeſtous, great Damages was done thereby in ſeveral parts of *London*, particularly on the Houſe of Eſq; *Pimm* in *Aurendel-ſtreet Pickadelia*, where ſeveral Stacks of Chimnies being blown down and much Damnified, ſeveral Bricklayers were ſet at Work laſt Week to repair them, ſo that the uſual Fire-places and Kitchen in the ſaid Eſquire's Houſe was rendred ſo far uſeleſs during the continuance of the Workmen's being there that his Servants were obliged to make a Fire in a back Room, which had not been frequented for ſeveral Years, where having made a Fire in order to dreſs Victuals, the paſſage of the Smoak was ſo much obſtructed that the Houſe was all in a ſmother, inſomuch that none was able without being Choak'd to abide in it; whereupon, orders were immediately given to ſearch into the occaſion thereof; in order to which, two Bricklayers being then preſent, went to the top of the Chimney, and putting a long Stick down felt ſomething ſolid about three yards deep within the Funnel; but not finding out meanes to get it up, a hole was made in the ſide of the Chimney, where to their great aſtoniſhment the appearance of a Man was Diſcovered, his Leggs and Cloathes appearing viſible to them, whereupon he was pull'd out and expoſed before a a Numerous Crow'd of People, his Skin being as extream Dry and Hard as Shoe Leather all over his Body, and Fleſh quite conſum'd and waſted and his Intrals intirely dry'd to Aſhes, nothing remaining but Skin and Bones, having black Cloathes and a Leather Apron about him; his Hands being fix't over his Head on which was an old Wigg, and in one of his Coat-pockets a Shirt which ſeem'd freſh, ſtrong, white and intire; his Skin being ſo much like Leather that one of the Bricklayers cut a piece of it, ſuppoſing it had been one of his Pockets in hopes to find ſome Money.

Various are the Diſcourſes, concerning the original cauſe of this ſtrange and unknown Perſon's lying Dead in that place: Some ſuppoſing that he had been conceal'd in the Houſe with an intent to Robb it, and being apprehenſive of Danger went out at the Garret Window, and ſo down that Chimney for his ſuppoſed ſafty, but being ſtreightned in his ſtrugling was Stiffled and Suffocated by the Sutt; others (with more reaſon) imagin, that he was one of thoſe Theives, who attempted to Robb the Lord *Lovlace's* Houſe about 7 or 8 Years ago, who being diſcovered, were follow'd over the tops of Houſes and was fired at ſeveral times, ſo that ſome think this Man being one of them who being Wounded, Thruſt himſelf down the Chimney in order to eſcape, (there being no Inhabitants therein) at that time, nor ſince, till within this wo Years laſt paſt, ſo that probably miſtaking one Chimney for another, he, ight paradventure think to go down that way into the Garret; which he ight eaſily have done down the next Chimney without any difficulty.

On *Saturday* towards Evening the Coroners Inqueſt ſat on the view of his ody, where ſome argued as if he had been Murther'd and thrown in that Chimey to conceal the Murther; but at laſt they unnanimouſly brought in Accidental; ſo that he was ordered to be Buried in *St Martins* Pariſh.

*London*, Printed for *Thomas Hews* near St. *James's*. 1701.

H 297

# *A True Account of the Behaviour, Confession and last Dying Speeches, of Captain* William Kidd, *and the rest of the Pirates, that were Executed at* Execution Dock *in* Wapping, *on* Friday *the 23d of* May. 1701.

515. l. 2
A. 269. 192

Licensed according to Order.

ON Friday May *the 23d* 1701, *these Persons following were Conveyed from* Newgate, *to* Execution Dock *in* Wapping, *by the Officers of the Admiralty and others carying the Silver Oar before them, according to the usual Custom, on such occasions; Their several Speeches, and Confessions are as followeth.*

Captain *William Kidd*, born in *Scotland*, and Condemn'd by a High Court of Admiralty, for the Murther of *William Moore* his Gunner, on th 30th of *October* 1697, as also for several Piracies and Robberies on the High Seas, near the *East Indies*, &c. His Behaviour in *Newgat* after Condemnation, was not so serious and devout, as became a Person under his Circumstances; but whether it proceeded from a Heroick Temper, in not seeming to be any way terrified or afraid, at the approaches of Death, (tho in a violent manner) be being Naturally of an undaunted Mind and Resolution, or from a conceited hopes of obtaining a Pardon, or at least a Reprieve, their being great endeavoures (tho in vain) used for that purpose, is yet unknown; However being come to the place of Execution, he by the Christian endeavours of the Ordinary of *Newgate*, and other pious Persons who then assisted, was by degrees brought to a more nearer fence of his Condition, and often desired them to pray for him, expressing his Hearty Sorrow for being so remiss and neglegent, in providing for his future and eternal Welfare; acknowledging that he had been a great Sinner, in many particulars through the whole course of his Life, besides that of Piracy and Robbery, which he was justly going to suffer for; and that he had more highly offended both God and Man in that respect than many others, who suffered for those Crimes, by exceeding the Limits of his Commission; which if he had honestly kept to, would have brought him more Wealth, than he got by indirect Practises, besides the Honour and Reputation that would consequently have attended him therein: Notwithstanding which he could hardly be brought to a Charitable Reconciliation with those Persons, who were Evidences against him at his Tryal, alledging that they deposed many things that were inconsistant with truth, and that much of their Evidence was by heresay; and in the general part of his Discourse seem'd not only to reflect on them, but several others, who instead of being his Friends, (as they promised,) had traterously been Instrumental in his Ruin.

And further declared, that as to the Death of *William Moor* his Gunner, the Blow that he gave him, it was in a Passion, as being provoked by him, so to do, but not with an intention of any manifest Injury, much less, to Kill, or Murther him, nay, he was so far from having any Mallice against him, that when he was taken by the *Indians*, he freely gave 200 *l.* for his Ransom, and further said that all his Sailors knew he always had a great Love and Respect for him; adding if any one concern'd in his Tryal, had acted contrary to the Dictates of his, or their own Conscience, or moral Honestly, he heartily forgave them, and desired that God would do the like: He expressed abundance of sorrow for leaving his Wife and Children, without having the opportunity of taking his Leave of them, they being Inhabitants in *New York*, so that the thoughts of his Wives Sorrow, at the sad tidings of his shameful Death, was more occasion of grief to him than that of his own fatal Misfortuns. He desired all Sea Men in general, more especially Captains in particular, to take warning by his dismal unhappiness, and shameful Death, and that they would avoid the meanes & occasions that brought him thereto, and also, that they would act with more caution and prudence, both in their private and publick Afaires, by Sea and Land, adding that this was a very fickle, and faithless Generation: After he had ended his Discourse to the People, he spent the rest of his time in Prayer and other Pious and Godly Exercises, with the Ordinary of *Newgate*, and other Ministers, and at last seemed very Devout and Penitent, expressing his hearty Sorrow for his manifest Transgressions, especially for the unhappy and sudden Death of *William Moore* his Gunner; but would not call it Murther to the very last, esteeming it rather an accidental Misfortune than a Murther, by reason there was but one Blow given, and that in Passion, without any permeditated Malice, *&c.* He desired the People to pray for him, and to take Warning by him, in order to avoid these Inconveniences that might occasion the like Disaster. He prayed silently to himself, and Chearfully seem'd to joine in Devotion with the other Pirates; so that from hence we have good grounds to hope that he died a sincere Penitent, recommending his Soul into the Hands of a gracious and merciful Redeemer.

Captain

Captain *John Eldridge* Condemn'd for the like Piracy and Robbery, in Robbing and Plundring a *Moriſh* Ship call'd the *Great Mahomet*, on the high Seas, Seven Leagues diſtant from the *Iſland* of St. *John* in the *Eaſt Indies* on the 28th of *September* 1698, to the value of 30303 *l.* He behaved himſelf after his Condemnation, as very well became a Perſon under his Circumſtances, and ſeem'd from firſt to laſt, truely ſencible of his unhappy Condition, and like a true Penitent not only ſpent his time in Prayer, and other acts of Chriſtian Devotion, but as much as in him lay, endeavoured to perſwade the other Priſoners to follow his Example, telling them they had too long delighted themſelves in the Pathes of Impiety, therefore conſequently high time to prepare for Eternity, and the raither conſidering the few moments they had to Live on this ſide the Grave; reminding them of the many Sins he and they had been guilty of, therefore the more ſpeedy repentance was required: He confeſſed his Sins was in number as the Sands of the Sea, but doubted not but Gods Mercy through true and unfained Repentance was ſufficient to Attone, for his and their manifold Tranſgreſſons: He ſaid little as to the matter of Piracy charged againſt him, but deſired God to forgive him as he did all his Enemies, and then he doubted not but to be happy: However he in ſome meaſure, (tho' very modeſtly) ſeem'd to complain of the hardſhip he underwent after his Acquitment at *Doctors Commons*, by being Impriſon'd a ſecond time, for demanding what was reaſonably thought his due, which unhappily prov'd an Introduction to his untimely End, to which, ſince providence had ſo order'd it, he willingly ſubmited thereto.

He continued in this hopeful method of preparing for his approaching Fate, expecting no leſs than to die with the reſt of the Pirates, on the Day Aſſign'd in the Dead Warrant, but by the Daily and repeated Endavours of his faithful Friends, he had the good Fortune to obtain a Reprieve for 14th Days, which was brought to the Keeper of *Newgate*, to his great Joy, on *Thurſday* Night about nine of the Clock, being the Night before his deſigned Execution.

*Darby Mullins*, Condemn'd for being concern'd in the ſame Piracy with Captain *Kidd*, &c. when he came to the place of Execution he appeared very much concern'd at the terrible approach of Death, confeſſing the fact of Peracy with many Tears and lamentable Sighs, deſiring all young Men, eſpecially Saylors to take timely warning in order to avoid Coveteouſneſs and all vain and idle company, leaſt ruin and miſery overtook them before they were aware: He gladly heard the good inſtruction of the *Ordinary*, and others, Prayed with great fervency and deſired God of his Infinite Mercy to receive his Soul, and ſo chearfully ſubmitted to his untimely Fate.

*John Dubois* a French Man, who was Condemn'd on the 22d of *October*, 1701 among ſeveral other *French* Pirates by a Court of Admiralty, for being concern'd with *Lewis Getar* and others, for Piracy and Robbery on the High Seas within Two Leagues of *Cape Henry*, near *Virginia* taking and carrying away an *Engliſh* Merchant Ship call'd the *Nicholſon*, taking out of the ſaid Ship 3000 *l.* in Gold and Silver, beſides 700 Hogſheads of Tobacco, value 20*l* and other Goods of great worth and eſteemation. He appeared very Penitent, both during his Confinment, and at the Place of Execution, expreſſing much Sorrow for his paſt Offences and manifold Tranſgreſſions, deſiring the People to take Warning by his ſad Diſaſter: He alſo diſcovered many ſecret Sins which he had hitherto conceal'd, uſing many Penitent and Chriſtian Expreſſions which the French Miniſter Interpreted to the People, he ſpeaking very little Engliſh, or at leaſt ſo unintilligible as not to be underſtood. He own'd the fact for which he ſuffered, and earneſtly pray'd that God would forgive him for that, and other of his Crimes, which he own'd were not only great but very many in Number; but hoped through the Merits of Jeſus Chriſt his Redeemer, to receive free Pardon and Forgivneſs. He declared that he had been very croſs and diſobedient to his Parents, had been guilty of Sabbath Breaking, Whordom and variety of Ludneſs immorality and Prophanneſs. He openly declared that he Died in Charity with all the World, in the Romiſh Communion, and in his way of Devotion, he ſeem'd to make a very pious and hopeful Exit; his laſt Words being theſe, *viz. Lord and Saviour of the World, into thy Hand I commend my Spirit, Oh! Jeſus Maria Enterjeed for me*, &c.

*Peter Manguinam* a French Man, Condemn'd for the aforeſaid Piracy: He was not ſo ſorrowful and Penitent, during his Confinment, as could be wiſhed, being naturally of a Melancholly and Moroſe Temper, ſaying very little neither in *Newgate*, nor at the Place of Execution, but a little before he was turn'd off, he ſeemed very ſorowful, wept very much, and prayed with the French Miniſter, acknowledging his Crimes; and therefore we are in hopes that he died Penitent. So they were all turn'd off, at which inſtant *Kidd*'s Halter broke, and he fell down on the Ground, and afterwards diſcourſed again with the Miniſter, which having ended, the Executioner ty'd him up a ſecond time, till he was Dead.

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*Note*, The only true Account of the Dying Speeches, of the Condemn'd Pirates, is Printed for *E. Walker* in *Bride-Lane*, 1701.

E 90
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# *The* ORDINARY *of* NEWGATE *his Account of the Behaviour, Confessions, and Dying-Words of Captain* William Kidd, *and other Pirates, that were Executed at the Execution-Dock in* Wapping, *on* Friday May 23. 1701.

K Lorrain (R.)

THE Persons hereafter mention'd being arraign'd, try'd, and found guilty of the respective Crimes lay'd to their Charge, and thereupon condemn'd to die by the High Court of *Admiralty* held at Justice-Hall in the *Old-Bailey*, on Thursday the 8th, and Friday the 9th instant; I did on the Day following, being the 10th, visit them, and pray with them, and admonish them to Self-Examination, and Repentance; and on the Lord's-Day, the 11th, preach'd twice to them and other Prisoners, upon these Words of our Saviour, *Mat.* 25. 46. *And they shall go away into Everlasting Punishment; but the Righteous into Life Eternal.*

How I divided this Text, and what from it I took occasion principally to urge to the Condemn'd Prisoners, as I have shewn in my late Paper about *John Shears*, who was Executed at *Tyburn* the 16th instant; so I need not repeat it here. This only I may say, that I then press'd upon them the Acts of Faith and Repentance, and constantly did so, during my whole Attendance on them, which was every Day, both Forenoon and Afternoon, all the Week following, And so going on and continuing to recommend to them the Practice and Exercise of Piety and Religion, the only thing they were now to mind, I again preach'd to them on the last Lord's-Day, the 18th instant, *viz.* in the Morning, upon these Words, *Eccles.* 12. 13. *Let us hear the Conclusion of the whole Matter, Fear God, and keep his Commandments, for this is the whole* [ Duty ] *of Man.* From which I shew'd them these 2 Things.

1st ——*That the fear of God makes Men truly Wise; because it leads them to the knowledge of what is most excellent, and most necessary for them to know.*

2dly ——*That by the fear of God Men are not only made acquainted with their true Interest and Duty, but powerfully excited to pursue the same; so as to obtain thereby both a present and Eternal Reward, which God, who is Truth it self, and cannot lie, has promised to those that love and fear him.*

These were the Heads of my Morning Sermon.

In the Afternoon I preach'd upon this Text, 2 *Cor.* 5. 10. *For we must all appear before the Judgment-Seat of Christ, that every one may receive in his body, according to that he has done, whether it be good or bad.* Which Text I also divided in two Parts, shewing,

1st ——*That at the Hour of Death, there is a private and particular Judgment to be pass'd upon every Man; and at the last Day there will be a publick and universal Judgment pass'd upon all Men.*

2dly ——*That this Judgment shall be given by the great Judge of all the World, according as Men shall have acted and behav'd themselves in this Life; that is, according as (upon that strict Examen and Enquiry, which shall then be made) they shall be found to have done; whether good or evil.*

Having inlarged upon these, and shew'd that by Repentance and Amendment of Life, those that had done evil might prevent the dreadful Judgment and Punishment due to their Sins; I concluded the Whole with an earnest Exhortation, (principally directed to the Condemn'd Persons) that they would return to God with their whole Heart; and so obtain their great Pardon sealed before they were called to the Bar of God's Justice. The pressing necessity and indispensable Obligation they were under, of doing this, I lay'd close to them constantly, even to the hour of their Execution; representing to them the severe Wrath and terrible Judgment of God which will certainly fall upon Sinners, unless they speedily and sincerely forsake their evil Ways and repent; and in order to this, patiently and submissively, take that temporal Shame and Punishment which is due to them; ingenuously acknowledging their Faults, and as far as they are able, making all Satisfaction and Reparation to the World. Thus perswading them to lay these things seriously to Heart, and seasonably apply them to themselves, I at last prevail'd upon them to uncover, and own those Crimes, which they had before so industriously endeavour'd to hide or excuse, particularly Capt. *Kidd* who vainly flattering himself with hopes of a Reprieve, deferred his Confession so long, that there was hardly any time left for the taking it, in any Exactness and Order. *Darby Mullins*, one of these Condemn'd Pirates, was of all the rest, the most ready and free to open himself to me, and therefore I shall begin with his Confession.

1. *Darby Mullins*, Condemn'd for Piracy. He was about 40 Years old, born in *Ireland*, hard-by *Marlough-felt*, about 16 Miles off *London-derry*. He said he lived in his own Country, and with his Parents, and followed the Plough with his Father, while he was young; but being Kidnapp'd, he was carried away into the *West-Indies*, where he served a Planter, for the space of 4 Years: Afterwards he turned a Water-man, and follow'd several other Employments in and about *Jamaica*, And when the Earth-quake happen'd there, he was miraculously preserv'd, yet he took then no great notice of his Deliverance, so as to be thankful (as he ought) to God for it; which is now matter of trouble and grief to him. After this Earth-quake, he went to *Kingston*, a Town in those Parts, and there he built himself an House, and sold Liquors, *&c.* Then he came to *New-York*, with his Family, in the *Chanley*, Capt. *Sims* Commander, and continued there 2 Years: At the end of which, he took his Passage on board Capt. *Slade*, to the *Madera*, where he stay'd but 3 Weeks, and then returned to *New-York*, and some time after, having bury'd his first Wife there, he was not able any longer to keep House; but apply'd himself to carrying and fetching Wood from Place to Place, in a Boat of his own about 20 Tuns. Then he left off this Employment, and engag'd himself with Capt. *Kidd*, and afterwards with Capt. *Culliford*; not knowing, but that it was very lawful, (as he said he was told) to Plunder Ships and Goods, *&c.* belonging to the Enemys of Christianity. But now he being shew'd, that those were the greatest Enemys to Christ and his Religion, who did such unaccountable things, as he and his Companions did, contrary to the Laws of Christianity, which they profess'd: He said he heartily begg'd Pardon of God, and of the World for it, and wish'd he had not been such an Offender. He confess'd he had been a great Sinner, in that he had not serv'd God as he should have done; but far from that, had of late very much given up himself to Swearing, Curfing, profaning the Sabbath-day, *&c.* which he now acknowledged had deservedly brought this Calamity upon him. He seemed to be very penitent of the Facts for which he was justly Condemn'd; and prayed to God to forgive both these and all other the Errors and Miscarriages of his past Life. He was a poor unlearned Person, not very much acquainted with any Principles of Religion: Yet he was willing to be directed; and express'd great Hopes, that through the Merits of Christ, he should find Mercy, and obtain Salvation.

2. Capt. *William Kidd*, Condemn'd for Murther and Piracy. He was about 56 Years of age, born in *Scotland*. I found him unwilling to confess the Crime he was convicted of, or declare any thing, otherwise than that he had been a great Offender, and lived without any due Consideration, either of God's Mercys or Judgments, or of his wonderful Works which had often been set before him. That he never remember'd to return him Thanks for the many great Deliverances he had received from him, nor call'd

call'd himself to account for what he had done. And now he owns that God is a just God, and he a vile and wretched Sinner. He says he repents of all his Sins, and hopes to be saved through the Merits of Christ. He further declares, that he dies in Charity with all the World.

4. *John du Bois*, Condemn'd for Piracy in *October* last, and ever since Reprieved, was now ordered also for Execution. He was about 32 Years of Age, of *Olon-Sand* in *France*. He said he was born a *Roman Catholick*, and desired to die in that Faith. He would not own the Fact which he was then Convicted of, and now to suffer for; but said he was against his Will taken and forc'd to do what he did. However he acknowledg'd he had many ways offended God, whose gracious Pardon he implor'd, and hop'd to obtain through the Merits of Jesus Christ.

5. *Peter Mingueneau*, Condemn'd at the same time, and for the same Crime with the last mention'd, *John du Bois*, He was about 30 Years of Age, of the Isle of *Oleron*. His Confession was much to the same purpose with that of his fore-named Companion. And both of them further declared, that they willingly submitted themselves to the Will of God, and dy'd in perfect Charity with all the World.

On this Day, being the Day of Execution, I went betimes to these Condemn'd Persons, and had them up in the Chappel, both Morning and Afternoon, where having given them further Admonitions to Repentance and Faith, they seem'd to me very desirous, and earnestly striving to die in God's Favour; only I was afraid the Hardness of Capt. *Kidd*'s Heart, was still unmelted. I therefore apply'd my self with particular Exhortations to him, and laid the Judgments of God against impenitent and hard'ned Sinners, as well as his tender Mercies to those that were true and sincere Penitents, very plain before him. To all which he readily assented, and said that he truly repented of his Sins, and forgave all the World; and I was in good hopes he did so. But having left him, to go a little before him to the Place of Execution, I found (to my unspeakable grief) when he was brought thither, that he was inflamed with Drink; which had so discomposed his Mind, that it was now in a very ill frame, and very unfit for the great Work, now or never, to be perform'd by him. I prayed for him, and so did other worthy Divines that were present, to whom, as (well as to my self) the Capt. appear'd to be much out of order, and not so concern'd and affected, as he ought to have been. 'Tis true he spake some Words expressing his Confidence in God's Mercys, through Christ, and likewise declared that he dy'd in Charity with all the World; but still I suspected his Sincerity, because he was more reflective upon others, than upon himself, and still would endeavour to lay his Faults upon his Crew and others, going about to excuse and justify himself, much about the same manner as he did when upon his Tryal. When I left him at *Newgate*, he told me he would make a full Confession at the Tree; but instead of that (contrary to my Expectation) he was unwilling to own the Justice of his Condemnation, or so much as the Providence of God, who for his Sins, had deservedly brought him to this untimely End. I continu'd to pray with him, and the rest, who (in all outward appearance) were very humble and penitent, particularly *Darby Mullins*, who persisted in asserting what he had told me before, and said it was the Truth, and he had nothing to add to, or diminish from it. This being done, and the Capt. having warned all Masters of Ships, and others, to have a care of themselves, and take Warning by him, I then sung with them a Penitential Psalm, and after another short Prayer recommending them to God, I parted with them, and left them to the Divine Mercy; While *Mullins* and the two *French-men*, were earnestly and aloud calling upon God, in these and the like Words, *Lord have Mercy upon me! Father have Mercy upon me! Sweet Saviour of the World have Mercy upon me.* Which they repeated several times: And then were all turned off.

But here I must take notice of a remarkable (and I hope most lucky) accident which then did happen, which was this, That the Rope with which Cap. *Kid* was ty'd, broke, and so falling to the Ground, he was taken up alive; and by this means had opportunity to consider more of that Eternity, he was lanching into. When he was brought up, and ty'd again to the Tree I desired leave to go to him again, which was granted. Then I shew'd him the great mercy of God to him in giving him (unexpectedly) this farther Respite, that so he might improve the few moments, now so mercifully allotted him, in perfecting his Faith and Repentance. Now I found him in much better temper than before. But as I was unwilling, and the station also very incommodious and improper for me, to offer any thing to him by way of question, that might perhaps have discomposed his Spirit, so I contented my self to press him to embrace (before it was too late) the Mercy of God, now again offer'd him, upon the easy Conditions of stedfast Faith, true Repentance, and perfect Charity. Which now indeed he did so fully and freely express, that I hope he was hearty and sincere in it; declaring openly that he repented with all his Heart, and Dy'd in Christian Love and Charity with all the World. This he said as he was on the top of the Ladder (the Scaffold being now broken down) and my self half way on it, as close to him as I could, who having again, for the last time, pray'd with him, left him, with a greater satisfaction, than I had before, that he was Penitent.

*Nicholas Churchil*, *James How*, *Gabriel Loffe*, *Hugh Parrot*, *Abel Owen*, *Robert Hickman*, and *John Eldridge*, being under the same Sentence of Condemnation, have received his Majesty's gracious Reprieve; which (from the penitent Condition I find them in) I hope they will improve to the Glory of God, the Good of their Souls, and the Service of their Country.

*This is all the Account, which (in this hurry) can be given of these Persons, by*

Friday, May, 23d. 1701.

Paul Lorrain, *Ordinary.*


# ADVERTISEMENTS.

JOhn Watts, (*Operator in Teeth*) *lives at the first House in* Racquet-*Court*, Fleet-street: *He draws Teeth, and sets in Artificial ones, so firm and exact, as to eat on, and not be discovered by any Person from Natural ones; likewise cleans black and yellow Teeth.*

☞ Robert Whitledge, *Bookbinder, at the* Bible *in* Creed-lane, *within* Ludgate, *Sells all manner of Bibles, Common-Prayers, and other Books, very well Bound, and Cheap.*

WElmy, *Professor of Physick, and Operator, famous for Relieving and Curing Deafness, and Noise in the Ears in any, hath Practised almost 40 Years, still liveth at the* Blue-ball *in* Whalebone-Court, *the lower end of* Bartholomew-lane, *near the* Royal-Exchange, London. *He is ready upon any occasion of that Nature, to serve such as apply to him. He doth challenge the whole World to perform the like Cures, which he has done in Deafness. Beware of some who pretend the same.*

☞ *I have Remedies ready prepared for the Preservation of the Hearing, in those who through some great defects in the Sounding Membrane, and other Impediments in the Auditory Passages, are not perfectly Curable; which Remedies preserve them from ever growing worse, and improves their Hearing to old Age.*

☞ *He hath likewise a most excellent* Gargarism *or* Mouth-Water, *which will make black or yellow Teeth, as white as Ivory in a few times using; and it will certainly Cure the Scurvy, and all other Diseases incident to the Mouth, Teeth, and Gums. The Glasses are of several Prices, with Directions. The Gargarism may be had also at* J. Mayor's *next door to the* Castle-Tavern *in* Fleet-street, *a Stationer.*



*LONDON*: Printed for *E. Mallet* at the Hat and and Hawk in *Bride-lane.* 1701

# The Proceedings on the King's Commission of Oyer and Terminer, and Goal Delivery, for the Admiralty of England, at a Sessions held at Justice-Hall in the Old-Bailey, on Thursday, and Friday, the 8th and 9th of May, 1701. before the Right Worshipful Dr. Oxendine, Dean of the Arches, Judge of his Majesties High Court of Admiralty of England, and other his Majesty's Justices named in the said Commission.

In the High Court of Admiralty. 515. 2. 194

WILLIAM *Kid*, was Indicted for the Murther of one *William Moore*, on the High Sea, on the Coast of *Mallabar*, in the *East Indies*, on the 30*th* of *October*, in the nineth Year of his Majesty's Reign, on Board the Adventure Galley, of which the said *Kid* was Captain, and that the said *Kid* with a certain Bucket bound with Iron Hoopes did strike the said *Moore* near the Right Ear, of which he languished to the 31*st* and then died. It appeared by the Evidence, that *Moore* was Gunner of the Ship, and was grinding a Chissel, and *Kid* came to him, and askt him what Discourse that was about taking a Ship called the *Loyal Captain*, of which one *How* was Commander; upon which *Moore* replied, that he said no such Word; upon which *Kid* told him that he was a Lowsie Dog; upon which he replied, that if he was a Lowsie Dog he had brought him to it, and that he had been his Ruin as well as others. *Kid* walking upon the Deck, and repeating several tunes, ye Dog, I ruined ye, he took up the Bucket by the Strap, and gave him the said Wound; then as he was carrying down to the Surgeon, he said, *Farewel, Farewel, Kid has given me my last Blow*; and that he saw him no more till he was Dead the next day after, and then putting his Thumb upon his Wound, felt the Skull sink under it. The Surgeon Deposed, That the Deceased was brought down, and said that *Kid* gave it him; and that *Kid* said that he was a Rogue and a Villain. He further said, that the Wound was but small, but that there was a large Bruise, and the Skull fractur'd, and that that was the the cause of his Death. *Kid* in his Defence said, he was coming up within a League of a *Dutch* Ship, heard that his Men were Mutining, and said that the Deceased told him that they might take the *Dutch* Ship and Plunder her, and he askt him how, and he told him to get them Aboard, and then Plunder them, and make them give a Receipt that they received no Damage, and then let them go; upon which he told him that it was a *Judas* Trick, and he would not do it; but the Deceased replied, that he always hindred their making their Fortunes, and they would go, upon which he took up the Bucket and gave him the said Blow, and that was the Reason he threw it. All which was absolutely denied by the King's Witnesses, and by one of his own, which he called up, pretending to prove it, who all declared that what disturbance there was was about a Fortnight before, and that the Discourse was about the *Loyal Merchant*, and not the Dutch Ship. All which the Jury having considered, they found him Guilty of wilful Murther.

*William Kid*, *Nicholas Churcott*, *James How*, *Robert Lamley*, *William Jenkins*, *Gabriel Loffe*, *Hugh Parret*, *Richard Barlycorne*, *Darby Mullins* and *Abell Owen*, were Indicted for Piracy and Robbery on the High Sea, on the 30*th* of *January*, in the nineth Year of his Majesty's Reign, 10 Leagues distant from *Cocheen* in the East Indies, did set upon a certain Merchant Ship called the *Quida* Merchant, and took 250 Bags of Sugar, value 100 *l.* 20 Bails of raw Silk, 200 Bails of Muslin, and 3 Rumells and other Goods of certain Persons unknown. It appeared by the Evidence that they went to Sea in the *Adventure Gally* about the latter end of *April*, or beginning of *May* 1696. from *Plimouth* with 70 Men and 30 Guns, of which Capt. *Kid* was Commander, and were bound to *New-York* in the West-Indies, and in their way they took a French Ship a Banker, which they carried with them as Prize, and condemned the same by a Court of Admiralty. He farther deposed, that after some time Capt. *Kid* set up Articles at *New-York*, inviting Men into his Service, who were to share with him in such Prizes as he should take; and in a little time he got 155 Men on Board, and then set Sail to divers Places, as to *Maderas*, *St Anga*, *Bonavist*, to *Madagascar*, *Johnny Mahela*, and to several other places, and then to the Mouth of the Red Sea; and from thence they went to *Babs Key*, where they staid three Weeks for the *Mocco* Fleets coming; upon which he landed some Men to make a discovery upon the high Lands if they could discern any Ship, and sent out Boats twice, who being returned brought no advice; however he sent a third time, and they being returned, told him that there was about 14 Sail of Ships in the Harbour, with *English*, *Dutch* and *Moorish* Colours; and that the biggest Ship lay with her Fore-top Sail loose, ready to Sail upon this he lay with his Ship on one side of the Island, and sent some Men on the other side to discover if they should go that way; and in the Night the Fleet came down, and the Men were for following them, but Captain *Kid* gave Orders that they should not stir till the next Morning, saying he would pick and cull the best of them, and would make a good Voyage of it; accordingly the next Morning, he fell in with the Fleet, and fired several Guns at them, and they at him, and they having *English* and *Dutch* Convoy who secured them, he was forced to Sail away, and Sailing towards an *English* Factory called *Carrowar*, he met with a Moorish Ship which belonged to *Bombay*, and bound to *Surrat*, out of which they took one *Parker* an *Englishman* for a Pilot, and one *Antonio* a Portuguese for an Interpreter, and took out Goods and hoisted the Men up with their Arms tied behind, and beat them with Cutlasses on the Back to make them confess if they had any Money, and after that Plundered the Ship and let them go; after which they went to *Carrowar*; where the Factory having some information, askt him for the two Persons, and he denied he saw them, though at the same time he had them in the Hold. From thence they put to Sea and met with a Portuguise Man of War, who being to strong for him he left them, and Sailed to the Coast of *Mallabar* for Wood and Water which they wanted: And going a Shore they plundered the Natives of divers Goods, and they killed his Cooper; then he ordered all his Men ashore, who fired their Houses, and took one of the Natives and bound him to a Tree and ordered one of his Men to Shoot him. After which they met another Moorish Ship, one *Skipper Mackare* a Dutchman was Capt. belonging to some *Armenian* Merchants, which they Chased with *French* Colours, which they perceiving hoisted out *French* Colours too; then he hailed him in *French* and commanded the Officer aboard, upon which he ordered one Monsieur *Lacy* to personate himself to be the Captain, but no sooner had them in his Custody, but he told them that he was Captain now, upon which they offered to pay him as much for the Goods as they were worth; however they carried it to *Madagascar* where it was sunk, and the Goods shared. Afterwards they took a Moorish Ketch, and the Men made their escape on Shore, which they afterwards Plundered and burnt, after this they met a Portuguise Ship which they Plundered, and kept her a Week in their Custody; but being Chased by 7 Dutch men of War, they were forced to leave her. Afterwards on the 30*th* of *January* 1697 they came up with the *Quida*, out of which they took the Goods mention'd in the Indictment, and by the way shared the Money

Aboard

Aboard a Ship and Captain *Kid* had Forty Shares and the reſt ſome a whole one, and ſome a half, the whole being divided into 160 Shares; then they came to *Madagaſcar*, where they divided the Goods as before; but the *Adventure Gally* being leaky they ſunk her, and took all the Effects and put them into the *Quidah* Merchant, and fitted her for a Man of War; but as ſoon as ever he came near the Iſland, Captain *Culliford*, a known Pirate, in the *Mocco* Frigat, otherwiſe called the *Reſolution*, ſent a Canoe from Aboard, who told him that they heard he was come to take them and Hang them, but he aſſured them he had no ſuch Deſign, and invited the Captain aboard, and afterwards went aboard his Ship, where Drinking with him, he told him, That his Soul ſhould Broil in Hell before he would do him any Injury, thereupon ſeveral Preſents were exchanged betwixt them; and Captain *Kid* gave him 4 Guns, and an Anchor, which Captain *Culliford* wanted for his Defence. He alledged that the Ships had *French* Paſſes, which he could not prove; and the King's Witneſſes denied they ever ſaw any ſuch: He produced two Commiſſions, the one was for taking *French* Ships and Goods in the late War, the other for taking Pirates; both which Commiſſions he acted quite contrary to. The Jury found him Guilty, as alſo *Nicholas Churchil*, *James Haw*, *Gabriel Loffe*, *Hugh Parret*, *Darby Mullins*, and *Abel Owen*, but it appearing that *Robert Lamley*, and *William Jenkins* were Apprentices and *Richard Barlycorn* was the Captain's Servant, they Three were Acquitted.

They were a ſecond time Indicted for Robbing a *Mooriſh*-Ship, 50 Leagues from Fort *Carroward*, in the *Eaſt-Indies*, and taking thence 100 l. of Coffee, 60 l. of Pepper, 100 l. of Myrrhe, and 20 *Arabian*-Pieces of Gold, on the 20th of *Sept.* in the 9th Year of our Soveraign Lord King *William*.

They were alſo a third time Indicted for Robbing a Moorith Ship on the High-Sea, 4 Leagues from *Callicut*, the in Eaſt-Indies, on the 27th of *Nov.* in the ſame Year, and taking the Ship and Apparel, 2 Horſes, 50 *India*-Quilts, and divers other Goods.

They were a fourth time Indicted for Robbing a *Mooriſh*-Ketch, 4 Leagues from *Callicut*, on the 28th of *December*, in the 9th Year of the King, and taking thence 30 Tuns of Sugar Candy, and 10 Bales of Sugar. To this Indictment *Churchil*, *Haw*, and *Owen* prayed that they might have leave to withdraw their Pleas, which being granted, they pleaded Guilty.

They were a fifth time Indicted for Robbing a *Portuguiſe* Ship, 12 Leagues from *Callicut*, on the 20th of *January*, in the 9th Year of his Majeſty's Reign, to which Indictment *Churchil*, *Haw*, and *Owen* Pleaded Guilty as before, and the 3 Servants were Acquitted upon all the Indictments, but the Evidence being to the ſame effect as in the firſt Indictment; the reſt were found Guilty.

*Robert Culliford*, alias *Cullivor*, *Nicholas Churchil*, *James Haw*, *Darby Mullins*, and *John Eldridge*, were Indicted for Piracy and Robbery on the High-Sea, about 3 Leagues from the High-land of St. *John* in the *Eaſt-Indies*, on the 28th of *September*, in the 19 Year of his Majeſty's Reign, Piratically did Rob a *Mooriſh* Ship, called the *Great Mahomet*, which came from *Judea* in the *Red Sea*, and was bound for *Surrat*, and taking the Ship and Tackle, value 2000 l. 25 Horſes, each of them 30 l. 200 l. of Dragons Blood, 100 l. of Saffron, a Cheſt of Corral, 3000 l. of Maſtick, 500 Yards of Woolen Cloth, 4000 Ounces of Silver, 8000 Rix-Dollers, 250 Bars of Gold, 400 l. of Gold-duſt, 16000 Chequeens, and divers other great Sums of Money, to the value of 30303 l. *Culliford*, *Churchil*, *Haw*, and *Mullins* Pleaded Guilty, having prayed leave to withdraw their Pleas, but *Eldridge* put himſelf upon his Tryal, and it appeared by the Evidence, that Captain *Culliford* met with one Captain *Stevens* at Sea, in a Ship called the *Sculdach*, where they entered into Articles to aſſiſt one another, and ſhare their Plunder, but a Storm aroſe, and they were ſeparated, but meeting after again, they ſaw the *Mahomet* at Sea, upon which *Culliford* Chaſed him, and the other Ship laid him aboard, where they Plundered it, and ſhared the Money on board, and each Man's Share came to 500 l. but when they came aſhore the Goods were ſold, and they ſhared 100 Dollars a Man, and the Evidence was poſitive, that *Eldridge* was in the *Sculdach*, and had ſhare of the Money. He denied the Fact, ſaying, He came to *Madagaſcar*, to Trade there with the Natives for Goods; but the Evidences being poſitive that he was there, and was called the Captain's Quarter-Maſter: The Jury found him Guilty.

*Robert Culliford*, alias *Cullivor*, *Nich. Churchil*, *James Haw*, and *Darby Mullins*, were Indicted for Piratically Robbing a Ship called the *St. John*, about 2 Leagues from *Joanna* in the *Eaſt-Indies*, and taking Goods to the value of 1079 l. to which Indictment they Pleaded Guilty.

Captain *Culliford*, and *Robert Hickman*, were Indicted for Piratically Robbing a Ship called the *Satisfaction*, and taking Goods to the value of 220 l. to which Indictment they Pleaded Guilty.

They were a ſecond time Indicted, for Robbing a *Mooriſh*-Ship, about 60 Leagues from *Surrat*, and taking Goods to the value of 800 l. to which they both Pleaded Guilty.

*Sidney Taylor* was Indicted for Piratically Robbing a Ship called the *Hopewell*, about 2 Leagues from *Cromer* in *Norfolk*, and taking 2000 peices of Eight, value 500 l. He did not appear he took them, the Jury Acquitted him.

## The Trials being over the Court gave Sentence as follows.

### Received Sentence of Death 9.

*William Kid*, *Nicholas Churchil*, *James Haw*, *Gabriel Loffe*, *Hugh Parret*, *Abell Owen*, *Darby Mullins*, *Robert Hickman*, and *John Eldridge*.

*Robert Culliford* was Reſpited before Judgment.

☞ The Tryals at large being taken by a Gentleman will be *Publiſhed with all poſſible Speed*, by J. Nut, *near* Stationer's-Hall.

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## *ADVERTISEMENT.*

B. *Lillburn*, that formerly Lived in *Ludgate-Street*, adjoyning to the *Kings Arms* Tavern near *Fleet-Bridge*, and lately near great *Moorgate*, & now Lives at the *Golden-Board*, and *Ball* in the *Old-Baily*. Who maketh and ſelleth, (and has done near 20 Years) & the Water for taking away the Freckels, Pimple, Warts, Morphew, and red Marks of the Small-pox in the Face: With *Elixir Salutis*, *Balſamum Vitæ*, *Tinctura Pectoralis*, Waters and Ointments for the Eyes, and Ointments for ſore Nipples; Piles, Rickets, Swellings, Bruiſes, Burns, Wounds, Aches, and Strains, &c. Powders, Dentrifices, Elixirs, Eſſences, Oils, Spirits, &c. both for Ornament, and Curing all Diſeaſes incident to Humane Bodies: but more eſpecially relating to the Female Sex, & for whom you may have a ſafe and eaſie Cure. (without confinement or hindrance of Buſineſs) for the Venereal Diſeaſe, & likewiſe Judgment upon Urine.


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*London*: Printed for *E. Mallet*, at the Bell and Hawk in *Bridelane*. 1701

515.l.2. 145
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The Full

# TRYALS

## Examination and Conviction,

OF

K. Swanston (H.)

## *Hagon Swanson*, and *Sarah Benton*

His Pretended Sister at the *Queens-Bench Bar Westminster*, on *Wednesday* the 25*th* of *November*, 1702. before the Lord Chief Justice *Holt*, &c. Also the Tryals of *John Hartwell* and *John Spurr*, Two *Bailiffs* for being Confederates with them in forcibly carrying away *Pleasant Rawlins* an Heiress, &c.

ON *Wednesday* last being the 25*th* of *November* 1702, the Tryals of *Hagan Swanson*, a *Dane* by Birth, *Sarah Benton* his pretended Sister *John Hartwel* and *John Spur* two *Bayliffs*; for forcibly and fellonously carrying away one *Pleasant Rawlings*, an Heiress of a considerable Fortune, came on at the Queens *Bench-Bar-Westminster*, before the Right Honourable the Lord cheif Justice *Holt* and other of Her Majesty's Judges.

The Court being Sat and the *Jury* Sworn, consisting half *English* and half *Danish*, *Hagan Swanson* was call'd to the Bar, when after his Indictment was Read, the Proceedings were as followeth.

One Evidence deposed, that the Prisoner *Hagon Swanson* by means of the cunning Intreagues of one *Sarah Benton* his Pretended Sister, hired a Lodging in one Mrs. *Nightingals* House in *Stroton Ground Westminster*, where the said *Pleasant Rawlins* a young Heiress, had her residence oppointed her by her Trustees; being the only Daughter and Heir apparant to Mr. *William Rawlins*, a Gentleman of considerable Substance lately Deceased; during her continuance there which was near a Month, she so ordered the matter, as to prevail with Mrs. *Busby* to get the young Lady Abroad in a Coach, and at the same time, caused them to be surprized by Three Bailiffs, (whose Names shall hereafter be mentioned) for near *Charles Street Westminster*, the Coach was stop't by them, and the young Woman and Mrs. *Busby* her Friend were Seiz'd under pretence of an Arrest, and hurried amay to a Tavern in *Drury Lane*, where being very much frighted and amazed, they Cry'd out Murder, but the People who came to see what was the matter, being told it was an Arrest, all was hust up, and by that means they took the oppertunity to remove the young Lady to the Bailiffs House in *Wisch Street* near *Temple-Bar*, telling Mrs. *Busby* that they had sent for some of her Friends to get Bail for her; but instead of that, Mrs. *Benton* the pretended Sister, came to her and told her she would send for her Brother, (meaning Mr. *Swanson*) which the Heiress being under apprehensions of fear consented to; and was from thence hurried in a Coach in all hast to the *Vine Tavern* in *Holbourn*, where Mr. *Swanson* was readily plac'd attending her coming, who readily offerd his Service to be her Bail; but after some objections by the Bailiffs against the sufficiency thereof, it was rejected and a stop put to their present seeming accomodation.

*Another Evidence deposed, who belong'd to the said* Vine *Tavern, that when the Bailiff had his pretended Prisoner to her House, and placed [illegible] into Mr.* Swanson *and Mrs. [illegible] was coming down Stairs for some Wine, she asked what was the occasion of all this strange bustle; to which he answered, that the young Woman was Arrested in an Action of 200l; But observing at the same time a Minister and his Clark to go into the same Chamber, she desired what business they might have, he replied the Minister was to be her Bail, which satisfyed the Landlady so far, that she enquired no farther into the Matter.*

*Mrs.* Busby *also deposed, That Mrs.* Benton *the pretended Sister, ordered the matter so as to insinuate so far into the young Heiress's acquaintance during her stay in the House, as to magnify the great Worth and mighty Parts of her pretended Brother, Mr.* Swanson *striving as much as possible to lessen the Reputation and Credit of one Mr.* Deau, *a real Gentleman of Honour, who made suite to the young Gentlewoman, with the consent and approbation of her Friends, and that she contriv'd this stratagem to get them abroad, in order to have her Trapan'd as aforesaid; as appears by the sequel, for no sooner had the Bailiffs stop'd the Coach, but the pretended Sister, in a seeming Fright and Consternation, clasp'd her Arms about Madam* Rawlins's *Neck, which was the supposed Sig-*

*nal*

and for the Bailiffs to seize her, for it was immediately performed, and the Coach hurried away with all imaginable haste to the Star and Garter-Tavern in Drury Lane as aforesaid; where she was separated from Mrs. Rawlins till she was forcibly married to the said Mr. Swanson in Holbourn.

John Weakland, who was one of the Bailiffs, (but having made himself an Evidence) deposed, That Mr. Hartwell the Bailiff came to him and told him he had a Writ against a Gentlewoman in Westminster, desiring his Assistance therein, which he readily assented to, and did assist him accordingly; but meeting the said Hartwel at the place appointed, he asked him whether he knew her or not, to which having answered in the negative, added that they should be told which was she, and being asked by the Court if he saw the Writ, he said he did, and that it seem'd to him like a Note; but affirm'd that they did seize her in a Coach as before mention'd, and that he and one Spur a Follower rode behind the Coach while he kept the Ladies Company within it, till it came to Drury-Lane;

Madam *Rawlings* the injur'd Gentlewoman deposed that being in a Coach on *Friday* the 6th of *November* with Mrs. *Busby* and Mrs. *Benton*, they were set upon and suddenly surprized by three Bayliffs, and that tho she cry'd out Murther when she came out of the Coach in *Drewry Lane*, yet by the threats of the Bayliffs and others, she through fear of further mischief durst not complain, being among strangers, and did not know friends from foes; she further added that they immediatly removed her from her friend Mrs. *Busby*, to the Bayliffs house in *Witch street*, and from thence under pretence of getting her Bail, to the *Vine-Tavern* in *Holbourn* where Mr. *Swanson* was ready to entertain her her, according as his pretended Sister had promis'd her, at which time, Mrs. *Benton* her pretended Brother and others went into another Room and left her, by her self, under pretence of agreeing to take Bail, which at last was refused as not sufficient; whereupon Mrs. *Benton* comes to her again, and told her, that there was no hopes now of getting her Liberty any other way then by Marrying her Brother which if she refus'd, to *Newgate* she must necessarily go and there lye in Prison in a miserable manner; upon which being under great consternation, and being deprived of the Society of her friends, she seemingly consented, and agreed to have a Ring sent for which was accordingly done, by Mr. *Swanson*; and a Minister being in readiness they were soon Married, having procured a Lycence to satisfy the Minister, and was Bedded according to the Custome of such sudden Solemnities.

*The Minister being call'd, did own that he married her to Mr.* Swanson, *but was induced to it upon sight of the Licence, which was very formal and seemingly substantial too; but it mention'd Madam* Rawlins, *as an Inhabitant in* White-Chapple *instead of* Westminster, *and that she was* 25 *Years of Age instead of* 18 *Years Old; but did acknowledge, that he saw no manner of Sorrow in her Face, or sign of Discontent, but on the contrary, all the appearances of a pleasant and well satisfied Bride; which she evaded by saying she was glad to get her Liberty at any rate, in regard of her being under such an unaccountable Fear and Consternation.*

*Mrs.* Nightingale, *gave also a large Account of Mrs.* Benton's *proceedings at her House, and that for a considerable time she behaved her self so well, that they were almost charm'd with her Conversation, and by that means got the advantage of Madam* Rawlin's *acquaintance, and insinuated so far therein, as to go to see the draught of her Picture, and several other places, till such time as she began to suspect some under-hand dealings, insomuch that she had given her warning, had she not prevented her by this sudden Accident.*

*Mr.* Swanson *in his Defence alledged that he had done nothing but what Madam* Rawlins *voluntarily consented to, and that she had expressed Love to him at several times; and that she called him her Dear and her Life, and thereupon call'd several Witnesses who some of them spoke partly to the same purpose, which she her self in some measure did not deny; and that after her Marriage with him, she walked on with him hand in hand, as seemingly Loving as possible, and that she went to Bed with a great chearfulness as could be expected, several of his Evidence confirming the same; But she alledging that she did all this as being under fear and Constraint, and that she did not know but they might carry her away and murder her; and it plainly appearing that she was at first forward into that Compliance, purely to avoid further misfortune with which he was threatned: So that tho' he call'd several Persons to his Reputation, as to his Dealings from* Norway, *by way of Merchandizing, &c. The Jury after some small difference among themselves, by diversity of Opinions between the Danes and English, relating to her willingness &c. brought Hagoc Swanson in Guilty of the Felony.*

*After which a new Jury being called and Sworn, Mrs.* Sarah Benton *the pretended Sister, and* John Hartwel *the Bayliff and his follower, were brought to the Bar; and try'd for confederating and abetting in the said Felony: first Evidence against them was Madam* Rawlings *the said Prisoner deposed, that Mrs.* Benton *coming to Lodge at Mrs.* Nightingals *in* Stretton Ground, *where she had also a Chamber; and by that means had the opportunity of conversing with her, in order to introduce Mr.* Swanson *into her favour, which she declin'd as much as possible, only for civility sake he now and then some words said, which Mrs.* Benton *imputed to true affection, which so far encouraged her that the said Mrs.* Benton, *by a cunning Intrigue decoyed her into a Coach and got her seiz'd by three Bailiffs under pretence of an Arrest at the suit of one* William Jones *in an Action of* 200 l. *for which they demanded* 200 l. *Bail, and afterwards under pretence of getting bail for her sent for her Brother Mr.* Swanson, *whose bail was refused, on purpose to threaten her with Newgate if she would not Marry him to avoid which, and get her enlarged, she consented to, and was Married and bedded accordingly.*

*Mrs.* Benton *in her Defence alledged, that the said Rawlins was so far from being disgusted with Mr.* Swanson, *in his proceedings that she said she lov'd him beyond all other men, and that she had heard her express her self to the same purpose. As Mrs.* Busby *and her self did in part acknowledge: but other Evidence being positive that Mrs.* Benton *set the Bailiffs to arrest the Rawlins, and that she actually paid them for the Writs, and was the chief Actor in carrying on the whole Design to trepan the Gentlewoman from home: So the Jury after having received a Charge from the Court, brought her in guilty of the aforesaid Villany: but no sufficient proof of the Bailiffs confederating with her, Spur and Hartwel were both acquitted.*

*London*, Printed for *J. Alkin* near *Fleetstreet*.

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515. L. 2.
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# THE Last *Dying Words* and *Confeſſion* OF Haagen Swendſen,

*Who was Convicted and Executed for Stealing Mrs.* Rawlins *an Heireſs, deliver'd by him to Mr.* Hainks, *Miniſter of the* Queens Bench, *and Mr.* Urſin *a* Daniſh *Miniſter. Written with his own Hand, and deſir'd they might be Printed.*

*I do believe the World will expect I ſhould ſay ſomething for their Satisfaction.*

THAT I had a Deſign to have Mrs. *Rawlins* for my Wife is moſt true. I was told of her by a Neighbour and Friend of hers, and then made a farther enquiry, and found her Quality ſuch as I might, without any exceptions, preſume to, her Father being the Son of a Tradeſman, the next was how to get into her Acquaintance, and not knowing how to be Introduc'd, I prevailed with, and perſwaded Mrs. *Bainton* to take a Lodging in the ſame Houſe with Mrs. *Rawlins*, by which means I found eaſie Acceſs to my wiſhes, and was as welcome to the Family, as if I had been one of themſelves, I had their Company on board a Ship, where I gave them an Entertainment, and was invited to dine with them, and by degrees I poſſeſs'd my ſelf of Mrs. *Rawlins* Affection ſo far, that ſhe ſeem'd uneaſie without me, and frequently importun'd for my ſpeedy Return, and oblidg'd me to ſet next to her at Table, ſaying, that if I did not ſhe would not eat, and treated me with many private careſſes, by which Lovers who have not frequent Opportunity of ſpeaking do by Signs and Tokens expreſs themſelves.

I do declare that I had as good Reception as a Lover could wiſh for, and all the Incouragement imaginable; Inſomuch, that nothing ſeem'd diſagreeable to my intentions, but all things did promiſe to facilitate my Deſign with Succeſs, ſhe her ſelf having told me that ſhe was at her own diſpoſal, and would Marry to pleaſe her ſelf.

My familiarity with Mrs. *Rawlins* before my Marriage was ſo great, that there was no room left for me to practice Violence upon her; tho' I muſt ſay I was impatient of Delays, and wiſhed for an Opportunity to accompliſh my Deſire.

But as for the unhappy Contrivance of the Arreſting Mrs. *Rawlins* I had no ſhare in it, but was perſwaded to Conſent to it by Mr. *H*——— and his Wife; and when the Intreague was brought to perfection, I comply'd, and laid hold of the Opportunity, in order to Marry Mrs. *Rawlins*, which with little difficulty, and leſs perſwaſion, I accompliſh'd; ſo having without any force or violence declar'd to the Miniſter that ſhe was at her own diſpoſal, and free to marry me, which the Miniſter declar'd in open Court at my Tryal.

After we had been in Bed comes in one Mr. *Bennet* a Conſtable, with ſome of Mrs. *Rawlins's* Relations, who requir'd me to go with them before a Juſtice of Peace; finding they had no Warrant, I refus'd to give Obedience to their Commands, which created ſome diſpute, and my Wife hearing the Noiſe, came out of the Bed-Chamber, deſir'd me to be quiet, and let her ſpeak to them, which accordingly ſhe did in theſe expreſs Words following, *viz. Couſin, I have Married this Gentleman with my own free Conſent, he is my Huſband, and this is my Wedding Ring*, ſhewing the Ring on her Finger; *As for Mr.* Busby, *I will give him under my Hand he ſhall come into no trouble, and what would you have more.*

Then ſaid they, if it be ſo, then God bleſs you both together, and drank a Flask of Wine or two with me, and then departed; they were no ſooner gone, but I ask'd her whether ſhe would be willing to appear and declare what ſhe had ſaid to her Friends to a Juſtice of Peace, and ſhe ſaid ſhe would with all her Heart; then we went to Mr. Juſtice *Baber*, in *York* Buildings, and declar'd the ſame to him, he told her he would take notice of her Face, and and bid her ſtick to that.

The next Day about 11 of the Clock, there came a Conſtable with a Warrant, and carried us before the Recorder, unto whom ſhe ſaid the ſame thing over and over, then ſaid the Recorder, *Alas, Child, they made you Drunk, and you did not know what you did*; to which ſhe anſwer'd, *That there were a great many there preſent that knew her Life and Converſation, that ſhe did not uſe to be Drunk*, and when the Recorder could not prevail with her, he conceived, that my being Perſonally with her, oblig'd her to ſtand ſo firm to her Marriage, he then order'd me to be pull'd away by force from her, at which ſhe fell a weeping; how ſhe afterwards was Lectured by her Friends, was ſufficiently atteſted by my Proſecution, Tryal and Sentence; and after I was Committed to *Newgate*, I was remov'd by a *Habeas corpus* to the *Queen's Bench* Bar to be Arraigned, and Pleaded not Guilty to the Indictment; I Pleaded for longer time to prepare for my Tryal, but was allow'd but 4 Days; when I was brought to my Tryal, I moved for a Counſel to Plead my Cauſe, as being a Stranger, and not acquainted with the Laws of *England*, my Life being thus at ſtake, a powerful Intereſt againſt me, and the Court not for me, render'd my Caſe both deſpicable and deplorable, and as for ſome of my Evidence, I do verily believe they were Bribed by the adverſe Party, others taken off by ſiniſter Art, and ſome hindred by force from appearing in Court for me. As for Mr. Juſtice *Baber*, he ſhewed himſelf but coldly in giving his Teſtimony, and ſaid, that my Wife did confeſs before him, that ſhe was Married by her own free Conſent, but at the ſame time he added, that ſhe ſeemed very much diſorder'd; As for that Gentleman I forgive him, and ſhall leave God to be judge between him and me.

It

It is to be noted, That my Wife did not deny in open Court, that ſhe had made the Declaration aforeſaid, of her Marriage to Mr. *Bennet* the Conſtable, and others, that Night we were married; but ſaid, ſhe did not know what ſhe did when ſhe ſaid ſo, and many other things ſhe poſitively upon Oath denied at my Trial, which makes me have pity upon her poor Soul, conſidering ſhe confeſſed many things at Mrs. *Bainton*'s Trial, which ſhe denied upon Oath at mine, the World may ſee what it is to be a Stranger, and unacquainted with the Laws; nay, I my ſelf heard my Wife openly Confeſs in Court in Mrs. *Bainton*'s Trial, *That there was a Young Lady in the World who was at her own diſpoſal, that wiſhed me a good Wife*, and at laſt confeſſed ſhe her ſelf was the Perſon.

Amongſt my many Misfortunes I was repreſented by my Wife's Friends to the Court, to be a Sharper and a Bully, but I called in and produced ſeveral Gentlemen of Repute, to give account of my Life and Converſation, who have accordingly atteſted the Honeſty of my Principles by my Practiſe.

It is further obſervable how my Jury diſagreed about the Verdict, there was one of them Mr. *Eraſmus Johnſon*, a Perſon to me altogether a Stranger, for I declare in the preſence of Almighty God, that I do not remember to have been in his Company three times in my Life, except in Church; this Mr. *Johnſon* alledged, that none of the Evidence did Prove or Swear that I had any hand in the Arreſt, nor uſed any Force or Violence to the Gentlewoman, but ſhe confeſſed the Marriage which was proved by ſeveral Witneſſes, which rendred my Caſe ſo hard, that the ſaid Mr. *Johnſon* inſiſted upon it to have me diſcharged according to the Dictates of his Conſcience, but at laſt he was over-ruled.

Since my Conviction I have uſed all the means I could to procure my Pardon, but finding little or no probability of it, I am now a going to beg for entrance at the Gate of Mercy in Heaven, which I beſeech God to open for me.

I expected my Trial ſhould be publiſhed that the World might ſee my Treatment, what I have done, and what I have left undone in my Caſe, but I am inform'd it may not be Printed. I have ſaid this only to do my ſelf Juſtice, altho' I could ſay a great deal more of Moment to the purpoſe, but my time being ſo very ſhort and precious, I muſt imploy that little time to the ſaving of my moſt precious part my Soul.

I humbly beſeech Mankind to believe me, and that I have ſaid or ſhall ſay, are the Words of a dying Man, this is not a time for me to Equivocate, nor to go out of the World with a Lye in my Mouth, I do therefore declare and call the great omnipotent God of Heaven to my Witneſs, that I have aſſerted nothing to the beſt of my Knowledge but the whole Truth, nor utter'd a Syllable out of malice or bitterneſs of Heart against any Perſon whatſoever, but ſo far from it, I do frankly Forgive all my Enemies, and beſeech God to put it in their Hearts to repent of their Sins.

As for my Wife I am ſo much in Charity with her, that I cannot believe the Severity extended to me, did altogether proceed from her ſelf, but her conſenting to ſpill my Blood makes the Guilt her own. God of his great Mercy give her a true Senſe of her Crimes, that the heavy Judgment hanging over her Head may not deſcend on her.

As for Mrs. *Bainton*, who is likewiſe under Sentence of Death on the ſame account with my ſelf, as I have in the Court, ſo do I now again poſitively declare ſhe had no hand in the Intreague of my Marriage, any more than what ſhe did by my Special Direction and Perſwaſion; for Mrs. *Bainton* was wholly a Stranger to Mrs. *Rawlins*, until the unhappy Contrivance of my Marriage made them acquainted, neither did *I* know Mrs. *Bainton* till *June* laſt paſt; tho' ſome has been pleaſed to ſay that I kept her Company for three Years, and have had two Children by her, all which I declare is a wrong Notion, and nothing of Truth in it. The only load I have on my Conſcience is her Death, of which I am the unhappy Inſtrument. *I* beſeech God in his Mercy to move the Queen's Clemency to ſpare her Life, that her Blood may not riſe in Judgment againſt me.

As for my ſelf *I* am now a going to ſuffer an ignominious Death, for a Crime which my own Conſcience doth not accuſe me of, but the rigour of the Law, has made it my unpardonable Crime. And as *I* forgive all Mankind, ſo *I* beg forgiveneſs of thoſe whom thro' Inadvertency, or otherways *I* have injured or offended, beſeeching God of his great Mercy to vouchſafe them Forgiveneſs whenſoever they ſhall ask it.

My great Comfort is that *I* have reconciled my ſelf with my God, and that *I* Die in my Natural Senſes, and that ſhort time *I* have had ſince my Trial, *I* truſt in my Saviour, *I* have not miſpent.

*And now O Lord God of thy infinite Goodneſs hear my Petition, pardon my Offences, and forgive me my Sins, forgive mine Enemies, and lay not my Blood to their Charge, but grant that a Sincere Repentance may waſh away their Guilt.*

*I* am now a going out of this Vale of Calamity and Sin, to my eternal Repoſe, where thro' the Merits of my Saviour Jeſus Chriſt, *I* hope to ſee God in his Glory; and ſo *I* conclude, *O Lord receive my Soul into thy boundleſs Mercy for the Merits of my Saviour Jeſus Chriſt*, Amen.

*Haagen Swendſen.*

*Joſhua Hanks* Chaplain of the *Queen's Bench.*
AND
*George Urſin* Miniſter of the *Daniſh* Church.

## *ADVERTISEMENT.*

THE Trials at large will be Publiſhed next Week, which will ſerve for an Anſwer to this Paper.

*LONDON*: Printed for *John Nutt*, near *Stationers-Hall*, 1702.

L 90!

# AN ACCOUNT

Of a moſt Barbarous and Bloody

# MURTHER

515. L. 2. 194

Committed on *Sunday* laſt, by Mr. *James Smith* (Son to Councelor *Smith* of the *Temple*,) on the Body of one Mr. *Cluff*, a Scrivener late of *White-Friers London*: With an Account how he mangled his Body in a moſt Barbarous manner, Cut off his Left Hand, and Stabb'd him in ſeveral places of the Body leaving him Dead upon the place, with other particulars relating to the occaſion of that Inhuman Action.

MR. *Cluff* a Scrivener of *Pearl Court* in *White Friers*, having done great Service for Mr. *James Smith*, (Son to Councelor *Smith* of the *Temple*, in a Suite of Law relating to an Eſtate in the Countrey; the ſaid Mr. *Cluff* upon that account made him a Viſit at his Country Seat at *North Nibbley* in *Gloceſterſhire*, where he was Entertain'd for ſeveral Days with ſeeming great Reſpect, they having been (to all outward appearance) for ſeveral Years laſt paſt very intimate and loving Friends; but Ingratitude the blackeſt and moſt hateful of all human failings (as I am inform'd) was ſo engrafted in Mr. *Smith*, Notwithſtanding the aforeſaid advantages obtain'd by the Induſtry of his aproved Friend; that he was remiſs and negligent in giving Mr. *Cluff* a Gratuity ſuitable to his Merits, and the Services he had perform'd; which gave him occaſion to remind him of his Promiſe, or at leaſt of his ingratitude towards him; and in a civil and moderate manner repreſented to Mr. *Smith* how juſt and faithful he had been in his Service and the happy effects thereof, without thoſe returns of ſuitable Favours for ſuch good Offices. But Mr. *Smith* reſented thoſe expreſſions to ſuch a degree, that inſtead of ſtiring up juſt Gratitude towards a true Friend, it inflam'd his Anger againſt him, tho' he conceal'd his intention till he had ſent his Servants out of the Houſe, after which, contrary to the expectation of Mr. *Cluff*, he drew his Sword, and the other not being Arm'd nor aware of his Fury, was ſuddenly ſtuck by Mr. *Smith*, (being then in his own Houſe) and going to repeat his ſtrokes at his Head Mr. *Smith* having no weapon, lift up his Arm to defend himſelf, and the Sword being ſharp Cut his Hand almoſt quite off, ſo that being rendered incapable of defending himſelf, the other ſtabb'd him in ſeveral places of his Body, and repeated his Barbarous Cruelty till he had cut him almoſt to pieces, notwithſtanding the other often beg'd his Life, but all in vain for he never ceaſed till he had Murthered him in the moſt loathſom and barbarous manner as ever was heard of, a young Lad in the Houſe being only Spectator of this inhuman Tragedy; and durſt not ſtir nor call out for fear of being cut in pieces, as he was threatn'd. And thus was this Innocent Perſon made a Sacrifice by thoſe Hands who ought to have rewarded him with friendly Bounty and Benevolence. This abominable Action was Committed on *Sunday* the 4th of *April* 1703.

'Tis obſervable that he was reſolutely bent to diſpatch Mr. *Cluff*, by reaſon he had Bridled and Sadled his Horſe immediately before he attempted this raſh and barbarous Action, which as ſoon as his wicked Hands had perform'd, he Mounted with all the ſpeed imaginable, and made his Eſcape before any Perſons could come to ſeize him; and tis ſaid that he has ſince made his way towards *Weſtchester* in order for *Ireland*; but Hue and Crys being ſent every way to apprehend him, 'tis hoped he will ſuddenly be taken, and receive a reward ſuitable to ſuch a Notorious, Wicked, Bloody and unnatural Barbarity.

*London*, Printed for *T. Dennis* in the *Strand*.

H. 230
575. L. 2.
Kelly's Middlesex Sessions, Old-Bailey. 698

# THE PROCEEDINGS ON THE Queen's Commission of the Peace,

AND

*Oyer* and *Terminer* and *Goal-Delivery* of *Newgate*, held for the CITY of *London*, and COUNTY of *Middlesex*, at *Justice-Hall* in the *OLD-BAILEY*.

On *Wednesday*, *Thursday* and *Friday*, being the 26th, 27th and 28th Days of *April*, 1704. And in the Third Year of Her Majesty's Reign.

THE Sessions of Peace, of *Oyer* and *Terminer*, and Goal-delivery of *Newgate*, held at *Justice-Hall* in the *Old-Baily*, on *Wednesday*, *Thursday* and *Friday*, being the 26th, 27th and 28th Days of *April*, 1704. before the Right Honourable Sir *JOHN PARSONS*, Knight, Lord Mayor of the City of *London*, and Sir *Salathiel Lovel* Knight, Recorder of the said City, with divers of Her Majesty's Justices of the Peace, for the City of *London*, and County of *Middlesex*.

**The Jurors are as followeth.**

| London Jury. | Middlesex Jury. |
|---|---|
| *John Bennet*, | *Robert Bampton*, Gent |
| *George Hamond*, | *William Munden*, |
| *Joseph Chandler*, | *Humphry Bradshaw*, |
| *John Morris*, | *James Banister*, |
| *Joseph Chamberlin*, | *Richard Wingfield*, |
| *Joseph Grimstead*, | *William Pannet*, |
| *Isaac Fuller*, | *William West*, |
| *William Tervit*, | *Robert Haw*, |
| *John Creech*, | *Robert Twyford*, |
| *William Gardner*, | *Francis Parker*, |
| *Charles Kent*, | *John Nelson*, |
| *Thomas Dowell*. | *John Francklin*. |

The Proceedings were as followeth:

**Ann Hawkins**, of the Parish of Saint *Katherine Creechurch*, was indicted for Feloniously Stealing divers Goods from *Samuel Storey* on the 25th of *February* last; to which Indictment she pleaded Guilty.

She was a second time indicted for a Burglary, for breaking the House of the said Mr. *Storey*, on the said 25th of *February* last, and taking thence six Silver Spoons, six Rings set with Diamonds, a Stone-Ring, a 5 *l.* piece of Gold, and divers other Goods; but there being a fault in the Indictment, she was acquitted.

**Mary Trewhield**, of the Parish of Saint *Peter Le Poor*, was indicted for feloniously Stealing 12 pair of Blankets, and 2 Rings, from *James Fordham*, on the 14th of *April* last; to which Indictment she pleaded Guilty.

**Dorothy Warwick**, of the Parish of Saint *Mary Botham*, was indicted for feloniously Stealing 6 Broad Pieces of Gold, and a Gold-Ring, from *Samuel Tuckey*, on the 13th of *March* last; to which Indictment she pleaded Guilty.

**Robert Finch**, of the Parish of *Stepny*, was indicted for feloniously Stealing 3 Gold Rings from *Jeremy Knight*, on the 16th of *April* last; to which Indictment he pleaded Guilty.

**Priscilla Jones**, of the Parish of Saint *Peter Le Poor*, was indicted for feloniously stealing two Silver Spoons, a Silk Gown, a Petticoat, from *Nicholas Brightwell*, on the 28th of *February* last. The Prosecutor deposed, That she was a Servant in the House, and took the Goods and went away with them, and was afterwards taken at *Westminster*, but nothing found upon her; and she alleadging her Innocence, by saying, That she gave notice to the Prosecutors Daughter that her Work was to hard for her, and would therefore go away: The Jury thereupon acquitted her.

**Margaret Ellis**, of the Parish of Saint *Magdalen Old Fishstreet*, was indicted for privately Stealing a Wooden Box, and 5 *l.* 13 *s.* and 6 *d.* out of the Shop of *John Villers* and *Richard Abel* on the 15th of *April* last. The first Evidence deposed, That he saw the Prisoner standing at his Master's Door, who said, that she waited for one Mrs. *White*. The Porter of the Shop seeing her stand, told her he would fetch her a Chair; which she refused, saying, That she would sit upon a piece of Board; which she did, it being near the Money-Box, and on a sudden she took the Box and went away, but the Porter crying out, they pursued her and took the Box and Money upon her. The Prisoner in her own Defence, said, That she had a very bad Husband, who made her sell all her Goods, and left her with two small Children, but did not deny the Fact; the Jury thereupon found her Guilty.

**Ann Digger**, of the Parish of St. *Peter Le Poor*, was indicted for feloniously Stealing 12 pair of Blankets and 3 Rugs from *James Fordham*, on the 14th of *April* last. The Prosecutor said, that the Prisoner's Sister was a Servant in the House, and between

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between them both Conveyed away the Goods, and sold them at several Places, where he got most of them again. The Prisoner for her Defence, said, that her Sister gave them her, and that she did not know that they were stolen, her Sister telling her, that she had them of her Master, at reasonable Rates; which the Jury considering, found her Guilty of the value of 10 *d.*

**John Wiseman**, of the Parish of Saint *Buttolphs* without *Algate*, was indicted for feloniously Stealing a Silver-Spoon, the Goods of a Person unknown, on the 25th of *March* last. The Prosecutor deposed, That the Prisoner came to his Shop, and offer'd to sell him a Spoon, that was broke; but mistrusting it to be stol'n, stopt him, but the Prisoner upon his Tryal denied the Fact; saying, he found it in a Ditch, and there being no Evidence to prove he stole it, the Jury acquitted him.

**C——E——** of the Parish of Saint *Giles* in the Fields, was indicted for privately Stealing 5 Yards and a Half, of Ribbon, value of 7 *s.* and 8 *d.* out of the Shop of *Elizabeth Bussey*, on the 4th of *April* last. It did not appear she took it, and she call'd divers Witnesses to prove her Reputation; the Jury acquitted her.

**Anne Stone**, of the Parish of Saint *Giles* without Cripple-gate, was indicted for feloniously Stealing a Pewter-dish, and a Flaxen Napkin, from *Samuel Collerick*, on the 21th of *February* last, it appear'd that she took the Goods; which she afterwards confest, when brought before the Justice, upon her Tryal, she also own'd, that it was her first Fact; which the Jury considering, found her Guilty to the value of 10 *d.*

**Mary Dean**, of the Parish of Saint *Martin* in the Fields, was indicted for privately Stealing 36 Yards of Stuff, value 30 *s.* out of the Shop of *John Kirk*, on the 24th of *March* last. The first Evidence deposed, That the Prisoner came into the Shop, pretending to buy some Stuff, and that the Goods lay upon the Counter; and whilst they were busie, she conveyed away the Goods, and ran into a Joyners-Shop, telling the Joyners-Boy, that her Husband was following her to beat her, and desir'd to hide her self there; but they pursuing her, there she dropt the Goods behind some Deal-boards, where they were found, she denied the Fact; saying, that she was never in the Shop, and did not know any thing of it, she could not call any to her Reputation: The Jury considering the matter, found her Guilty to the value of 4 *s.* 10 *d.*

**John Orderey**, of the Parish of Saint *Clements-Danes*, was indicted for feloniously Stealing a Bag and ten Pounds in Money, from *John Rhodes*, on the 12th of *March* last. The Prosecutor said, that he did only suspect the Prisoner, by reason, that he was an unlucky Boy; but nothing being found upon him, and he alledging his Innocence: The Jury acquitted him.

**Ann Hawkins**, of the Parish of Saint *Catherine Creedchurch*, was a third time indicted for Felony and Burglary, for Breaking the House of the Royal *African* Company, on the 25th of *February* last, about 7 in the Night, and taking thence 6 Silver Spoon's, 6 Rings, set with Diamonds. A Stone-Ring a 5 *l.* piece, and 4 *l.* 5 *s.* in Money, the Goods of *Samuel Storey*: The first Evidence deposed that the Prisoner was a Servant to him formerly, and went away from him, and said, that she us'd to call as she went by that way, to see her Mistress, and came that Evening there, being no body at home but a little Boy, he being out of Town, and convey'd away the Box: The next Evidence was the Boy, who deposed that he was standing in *Leaden-hall Street*, the Prisoner beckon'd to him, and told him that she was very cold, and desired him to let her go up Stairs, and she would go and call *Tom*; (who was her Husband,) and they would have a Pot of Drink; which he consented to, and being come up, she desir'd him to go and fetch the Drink; which he agreed to, and in the mean time, she took the Trunk out of an Inner-Room, that was double lockt, and lockt the same again; but he coming back, she pretended then to go and call *Tom*, and in the mean time carried off the Trunk, and staid some while, and then came again, to prevent Discovery. There was other Evidence, who deposed that the Prisoner sent the 5 *l.* piece of Gold to be pawn'd, at one *Congrell's*, at *Salter-Peter* Bank. The Prisoner did not deny the Fact; only saying that the Door was open; and the Boy upon the Tryal, declar'd that it was Day-light: The Jury found her Guilty of Felony only, and acquitted her of the Burglary.

**Cray Hook**, of the Parish of Saint *Magnus* the *Martyr*, was indicted for feloniously Stealing 2 Pewter-Plates, a Holland-shift, a Silver-Spoon, and divers other Goods, of *Peter Weston*, on the 11th of *April* last. The Evidence deposed, that the Prisoner us'd to come to her House, and she us'd to relieve her; but taking her Opportunity at times, conveyed away the said Goods, and offering to sell the Spoon to a Goldsmith, near Exeter-Exchange in the Strand, she was stopt, and confess'd how she came by it, and the rest of the Goods were found in her Lodgings when search'd. She had nothing to say in her own Defence, nor could not call any to her Reputation: The Jury found her Guilty.

**Robert Baker**, was indicted for a Misdemeaner, for carrying away 192 Yards of Shalloon, the Goods of *Roger Bird*, to which Indictment he pleaded Guilty.

**D——I——** was indicted for a Misdemeaner, for taking away a pair of Womens-shoes, and 4 of Mens, the Goods of *John Hanwell*, to which Indictment he pleaded Guilty.

**Peter Bulkley**, was indicted for feloniously Stealing 4 Yards of Callico, from *Joseph Collier*, to which Indictment he pleaded Guilty.

**William Fox**, of the Parish of Saint *Giles* in the Fields, was indicted for Felony and Burglary, for Breaking the House of *Thomas Walters*, on the 20th of *December* last, and taking thence 7 Fustian Froks, 3 Cloath-Coats, a Drugget-Coat, a pair of Breeches, and divers other Goods, to which Indictment he pleaded Guilty. This was one of those Highway-men, that was taken at the Bear-Inn in *Basinghall-Street*.

**Mary Johnson**, of the Parish of Saint *John Wapping*, was indicted for feloniously Stealing a Gold-Ring, and a Cornelian Ring. The Goods of *Thomas Browning*, on the 12th of *March*, in the 11th Year of the late *King William*, it appear'd by the Evidence, that the Prosecutor could not tell which way she lost it, so it not appearing the Prisoner had it, the Jury acquitted her.

**Mary Simcow alias Atkins**, of the Parish of St. *Giles* in the Fields, was indicted for a Misdemeaner, for embezzelling a Silver-Tankerd, and divers other Goods of Sir *John Wolstenholm*; but the Evidence did not come up to the Indictment: The Jury acquitted her.

**Thomas Carrow**, of the Parish of St. *Clements-Danes*, was indicted for feliously Stealing a Stuff-Pettycoat, from *William Rawe*, on the 6th of *November* last. The Prosecutor said, that he sent divers Goods to a Dyer to be died, among which was

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this Petticoat which was then loſt, and afterwards found at a Brokers pawned by the Priſoner, who denied that he Stole it, ſaying, That it was given him by another Perſon to pawn, and called a Witneſs to prove the ſame. The acquitted him.

**James Dirkin, of the Pariſh of St. *James Weſtminſter***, was indicted for the Murther of one *James Graunt* on the 12th of *April* laſt, by giving him a Wound with a Rapier near the Right Arm-Pit, of which he inſtantly dyed. The Evidence deposed, That the Priſoner and the Deceaſed came into the Houſe and called for ſome Drink, and the Deceaſed fell aſleep, and the Priſoner waking him, he was in a Paſſion, and drew his Sword, and the other drew alſo, and in the ſcuffle the Deceaſed received his wound. The Priſoner for his Defence ſaid That they had been upon the Guard, and waking the Deceaſed he drew his Sword and wounded him in [illegible] upon which he drew back, and the Priſoner followed him up, ſo that they could go no further: The Jury thereupon found him Guilty of Manſlaughter.

**Mary Wills, of the Pariſh of St. *John Wapping***, was indicted for feloniouſly Stealing 2 pair of Holland-Sheets, a pair of Flaxen-Sheets, and divers other Goods of *John Lyden*, on the 11th of *March* laſt. The Proſecutor ſaid, That her Houſe was broke at *Greenwich* in *Kent*, and the Goods found upon the Priſoner. Another Evidence depoſed, That he was a Waterman, and plyed at St. *Saviours Mill*, where the Priſoner came early in the Morning, and he carried her to *King Edward-Stairs*, but upon the Water he miſtruſted that ſhe had Stole the Goods; when he came aſhore he charged her with a Conſtable, who carried her and the Goods before a Juſtice, and ſometime after they were owned by the Proſecutor. She denyed the Fact, ſaying, That her Husband brought them to her about four a Clock in the Morning, and commanded her to carry them to the *Roſe* in *Ratcliff*, and did not know that they were Stole; but being an Offender, and giving no good account of her ſelf, the Jury found her Guilty.

**John Davey, of the Pariſh of St. *Gregory's***, was indicted for feloniouſly Stealing a half hundred Leaden Weight from *John Caſſold*, on the 11th of *March* laſt. The Evidence depoſed, That the Priſoner came into the Shop and took the Weight, and gave it a nother Perſon. He denyed the Fact, ſaying, That he was never near the Shop in all his Life, and did not medle with any thing, which was proved to the contrary, and he could not call any to his Reputation. The Jury found him Guilty to the value of 10*d.*

**Mary Ford, of the Pariſh of *Stepny***, was indicted for feloniouſly Stealing 2 Braſs Candleſticks, 6 Pewter-Plates, a Baſon, 4 Shirts, and divers other Goods of *Oliver Sawyer*, on the 31 of *March* laſt. The Proſecutor depoſed, That ſhe came to take a Lodging at his Houſe, and when he and his Wife were gone to Bed ſhe got up and took the Goods, and went away out at the Back-Door; but the next day upon inquiry, found the Priſoner with the Goods at the *Croſs-Keys* at *Whitechappel*, playing at Cards. She denyed the Fact, ſaying, She knew nothing of it; but being known to be an Offender, and could not call any to her Reputation, the Jury found her Guilty.

**Richard Dickman and John Linvill, both** of the Pariſh of St. *James Clerkenwell*, were indicted for Felony and Burglary, for breaking the Houſe of *John Brampton* on the 13th of *April* laſt, about one or two in the Night, and taking thence 2 pair of Flaxen-Sheets, 4 Shirts, 2 Smocks, and divers other Goods to a conſiderable value. The Proſecutor depoſed, That his Houſe was broke open in *Swan-Alley* about two in the Night, and the Iron-Bar of his Window broke, and his Goods gone, and the Watchman coming his Rounds about 3 a Clock, and called him up, and making inquiry, heard that there were ſome Perſons carried ſome Linnen early in the Morning to a Houſe in *Chick-Lane*, where being come, found the Priſoners offering them to Sale, upon which they were for making their eſcape, but were afterwards taken, and in *Linvill's* Boſom they found a Laced Hankerchief, which the Proſecutor owned to be his. They both denyed the Fact, ſaying, That Night they had been out late a Drinking, and in *Woods-Cloſe* found the Goods upon a Dunghill; but could not prove it, or call any to her Reputation: They being both Offenders, the Jury found them both Guilty of the ſaid Burglary.

**Mary Robinſon, of the Pariſh of St. *Giles's*** without *Cripplegate*, was indicted for feloniouſly Stealing two Yards of Muſlin from *William Elwell*, on the 25th of *April* laſt. The Proſecutor depoſed, That ſhe came into his Yard and took the Goods, and purſued after her and took her. She denyed the Fact, ſaying, She did not ſteal them, but found them upon the Ground; but could not prove it: The Jury conſidering the matter, found her Guilty to the value of 10*d.*

**Silveſter Parſacktnden, Gent.** of the Pariſh of the Pariſh of St. *Clements Danes*, was indicted for the Murther of one *Roger Wincoll*, on the 31 of *March* laſt, by giving him one Mortal Wound with a Sword on the left part of the Body, under the Left Pap, of which he dyed. He was alſo indicted upon the Statute of Stabbing; and upon the Coroner's Inqueſt. The firſt Evidence depoſed, That the Priſoner and two Ladies came to the *Roe-Buck* in *Suffolk-Street*, between 10 and 11 at Night, and ſtaid till it was early in the Morning, and then took a Coach which was at the Door, who drove them to *Holly-Street*, where the Ladies were ſet down. Another Evidence depoſed, That he heard a noiſe of a Coach at the Corner of *Clare-Market*-Houſe, and looking out of a Window he ſaw the Priſoner there, and heard them talking high Words, and then went away, and when he came back, heard the Priſoner ſay, *God damn him*; *Are not you a Rogue to impoſe upon any Gentleman ſo?* And then walkt away, and preſently after the Deceaſed fell down. Another Evidence ſaid, That he found the Deceaſed fallen down under the Coach, and that he and the Watchman got him into the Coach, and found him wonnded, and carried him home to his Houſe in *Brownlow-Street*, where the Deceaſed declared that the Priſoner gave him but a Shilling, and he deſerved Half a Crown, and that he would give him no more; an importuning him till the Priſoner gave him the ſaid Wound. The Priſoner for his defence, ſaid, That the Deceaſed ſtruck him ſeveral Blows with the ſtock of his Whip, and ſtruck off his Hat into the Kennel, and gave him Scurrilous Language; but ſaid nothing of the wounding him; and alſo alleadged, that he never abſconded, but went publickly about his Buſineſs; He called divers People to prove that he was of a very quiet Temper, and never given to any manner of Quarrelling; all which matters the Jury having conſidered, found him Guilty of all three Indictments.

**Ann Elliſ and Mary Muſgrave, of the Pariſh** of St. *John Wapping*, were indicted upon two Indictments, the firſt for a Burglary, for breaking the Houſe of *Thomas Maſſon* on the 26th of *March* laſt, with intention to ſteal his Goods; and the ſecond for ſtealing a Silver Cup, and a Stuff Coat and Waſtcoat, the Goods of the ſaid Mr. *Maſſon*: As for the Burglary, it appeared that they were frighted before they committed any Fact: They were acquitted of this. As for the ſecond Indictment, he ſaid that his Goods were taken away on the 19 h

of *April* laſt, but who took them knew not. There was another Evidence who depoſed, That he was concerned with *Muſgrove* when ſhe went to rob the Houſe the firſt time; and alſo ſaid, That ſhe confeſt to him that ſhe was at the laſt Fact, and ſaid, that ſhe had been looking for him to give him a ſnack. She had nothing to ſay in her own Defence: The Jury found her Guilty of the Felony, and there being no Evidence againſt *Ellit*, ſhe was acquitted.

**William Sturgis**, of the Pariſh of St. *Dunſtans* in the *VVeſt*, was indicted for feloniouſly Stealing 3 Deal-Boards from *John Moreland*, on the 28th Day of *March* laſt. The Proſecutor ſaid he loſt his Boards, and found them upon him at *Bloomsbury*. But the Priſoner ſaid, that he had them out of the Proſecutor's Yard, by the Conſent of the Proſecutor's Wife, and was to pay her 6 *s.* for them; the Jury thereupon acquitted him.

**Richard Cook**, of the Pariſh of St *Martin Outwich*, was indicted for feloniouſly Stealing 700 Weight of Tobacco, from *Thomas Corbin*, on the 26th of *February* laſt. The Evidence depoſed, That the Cellar was robbed where the Goods were laid, and upon Examination, found that it was the Priſoner, who being taken and brought before the Juſtice, confeſt the ſame upon his Tryal. He denyed it, ſaying, He knew nothing of it; and as for his Confeſſion, he ſaid that they promiſed to be kind to him, if he did confeſs the ſame; which was denyed by the other Evidence: The Jury found him Guilty.

**Robert Nicholſon**, of the Pariſh of St. *Ann* and *Agnes*, was indicted for feloniouſly Stealing a pair of Women's Leather-Shoes from *Abraham Giles*, on the 25th of *April* laſt. The Proſecutor ſaid, That he loſt a pair of Shoes off his Stall, and purſuing the Priſoner, took him with the Goods in his Boſome; who ſaid, That he did take them, but not with an intent to Steal them: And it being his firſt Fact, the Jury found him Guilty to the valve of 10 *d.*

**Dugale Stewart**, of the Pariſh of St. *Andrews Wardrobe*, was indicted upon two Indictments, the firſt was for, that he the 28th of *February* laſt, did Raviſh and Carnally know one *Ann Merrick*, a Virgin, of the Age of 10 Years and 10 Months, againſt her will and conſent. And the ſecond was Raviſhing one *Ellinor Merrick*, an Infant, of the Age of 4 Years and 2 Months, on the 13th of *March* laſt. *Ann Merrick* ſaid, That he ſent her for a Pint of Drink, and being come back, he catched her by the Arm, and pulled her into his Bed-Chamber, and had knowledge of her three times. The Mother of the Children depoſed, That they were abuſed by the Priſoner, and called divers Midwives and Doctors who had viewed their Bodies, who believed that there might be ſome force, but how knew not. The Priſoner for his defence, called divers Witneſſes to prove that there was no Violence offered to the Children; And the Midwives and Surgeons on both ſides being ſent out, on the Tryal, to view their Bodies, found that the Eldeſt had not loſt her Virginity. There was divers other matters alleadged, which ſeemed to be Impoſſiblities, and it being look'd upon to be only Malice: And the Priſoner called divers Witneſſes, who gave a good Report of him, and ſaid, That he had been the Father of 22 Children by his Wife, and could not believe him to be guilty of ſuch an Offence, and there being no Evidence concerning the Youngeſt. The Jury acquitted him of both Indictments.

P——p—— of the Pariſh of St. *Giles*'s in the *Fields*, was indicted for privately Stealing 5 Yards and a half of Ribbon, value 7 *s.* 8 *d.* out of the Shop of *Elizabeth Buſſey*, on the 4th of *April* laſt. It did not appear, that any of the Goods were ever in her Cuſtody, and ſhe alledging her Innocence, called divers People to her Reputation, the Jury acquitted her.

**Sarah Windall**, and **George Wap**, of the Pariſh of St. *Martins* in the Fields, were indicted for privately Stealing 20 Yards of Muſlin, out of the Shop of *William Vickery*, on the 22th of *April* laſt, it appear'd that they came into the Shop, to buy ſome Kenting Neck Cloaths, and whilſt they were buſie, took the Goods, and went away; but being afterwards taken in another Shop, and being brought back, the Goods were found upon the Woman. There was other Evidence, who depoſed that they ſaw the Goods into the Man's Cuſtody. They both denied the Fact, but the Evidence was poſitive: The Jury found them both Guilty to 4 *s.* and 10 *d.*

**Edward Mathews**, of the pariſh of St. *Mary le Savoy*, was indicted for Felony and Burglary, for Breaking the Houſe of *Samuel Strickland*, on the 11th of *February* laſt, about 8 in the Night, and taking thence 3 Yards of Silk, the Goods of *Rebecca Gibbs*. It appear'd that the Priſoner was taken, and being brought into the Shop, whilſt they were examining him, the Goods were brought by another Perſon. The Priſoner ſaid, that coming that way, they took him up, and knew nothing of it: The Jury acquitted him.

**Elizabeth Sparks**, of the Pariſh of St. *Buttolphs* without *Aldgate* was indicted for feloniouſly Stealing a Scarlet Pluſh Petticoat, from *John Stone*, on the 24th of *April* laſt. The Proſecutors Wife depoſed that the Priſoner was a weekly Servant to her, and took her opportunity to take the Goods, and went away with them; but being afterwards taken, ſhe confeſt that ſhe had pawn'd it to a Broker for 25 *s.* She did not deny it upon her Tryal, ſhe was thereupon found Guilty.

**William Haynes**, was indicted for a Miſdemeaner, for getting in at a Window of the Houſe of Sir *Edward Dutton Colt*, with an Intention to ſteal his Goods. The firſt Evidence depoſed that they heard cry out Thieves, and being up 2 pair of ſtairs and coming down, took the Priſoner in a Room one pair of ſtairs. There was other Evidence, who ſaw him get in at the Window, and alſo that they found his Hat in the Room. The Priſoner ſaid, that coming that way, a Man took off his Hat, and threw it in at the Window, and did get upon ſome Railes, and ſo into the Window to fetch it, and was there taken, and had no Deſign to ſteal any thing; but he could not prove it, or call any to his Reputation: The Jury found him Guilty.

**Randal Royal**, of the precinct of Saint *Catherines*, was indicted for feloniouſly Stealing 3 Handkerchiefs, 2 Fans, 4 Silk-Hoods, 2 Scarfs, and divers other Goods, of *John Bonner*, and a Cloath-Coath and Breeches, of *William Diet*, on the 13th of *March* laſt; there was no Evidence againſt him, he was acquitted.

**William Naylor**, Jun. of the Pariſh of Saint *Stephens* Colemanſtreet, was indicted for the Murther of one *George Naylor*, his Brother, on the 3d of *May*, in the firſt Year of the *QUEEN*; by giving him one mortal Wound, with a Penknife, near the left Pap, of which he languiſh'd to the 7th, and then died. The Father depoſed that his Son the Priſoner came home late, and he deſir'd him to go the Bed; which he refus'd, upon which he ſtruck him, and his Mother ſaid, *Will you kill him?* and the Deceas'd hearing the Noiſe, roſe out of his Bed, and came down in his Shirt, and ſeeing him ſcuffle with his Father, took his part, and they both being down upon the Ground, the Priſoner had the Penknife in his Hand; but being up again, the Deceas'd took it out of his Hand, and ſcuffling together again, the Deceaſed

received

received the said Wound; which he afterwards own'd and said, that it was his own seeking: The Jury found the matter specially.

**Mary Clase**, was indicted for a Misdemeaner for forging a Counterfeit-Writing, called a Bill of Sale, in the Name of one *Richard Ellis*, belonging to Her Majesty's Ship the St. *Albans* Prize, and by that means did receive the Summ of 29 *l.* 17 *s.* the Wages of the said *Ellis* for his Service in the War. The Fact was fully prov'd against her, the Jury found her Guilty.

She was a second time indicted with one *Elizabeth Melton*, for the like Offence, and receiving the Summ of 44 *l.* the Wages of one *Henry Enman*, belonging to the St. *Albans*-Prize. The Evidence not being full enough to convict them on this Indictment, they were acquitted.

**Mary Price**, alias **Harrington**, of the Parish of *Ealing*, was indicted for the Horrible and abominable Sin of *Sodomy*, committed with a Dog, on the 15th of *March* last. The Evidence against her was a Girl, who lived in a Room one pair of Stairs in the same House; where the Prisoner liv'd, who deposed, That there was a Hole in the Floor, and broke through the Ceiling, whereby she could see into the Prisoners Room, and said, that that Night about 8 or 9 a Clock, being above Stairs, the Prisoner had a Light in her Room, and she saw her sitting in a Chair, by the Fire-side, leaning backward, and took the Dog to her, who she said, acted with her as to a Bitch. The Mother also deposed that she saw nothing of it, but brought a piece of Paper of the bigness of the Hole. She denied the Fact, saying, it was done out of Malice and Spight, and none of her Dog, and that the Evidence and her Mother had several times done her Injuries in her Goods and Cloaths, by throwing Soap-Sudds, and other things, which came through the Seiling, and spoilt them. She call'd Witnesses, who said that it was done out of Malice and Spight to her, by reason, they would have her gone out of the House. Another Evidence said, that asking the Witnesses, before the Tryal, what Colour the Dog was of? She reply'd she could not tell, nor did not know whether it was her Dog or no. There was divers other Evidences, who declar'd that there had been several Quarrels between them, and the Constable deposed, that they were quarrelsome People, and that he had had several Warrants against the Evidence and her Mother, and said, that it was impossible for any Body to see through the Hole to the Fire-side, and see what any Person was doing of; all which the Jury considering, acquitted her.

**C——M.** and **D——R.** and **Thomas White**, of the Parish of Saint *Clements Danes*, were indicted for feloniously taking 3 Guineas from the Wife of *John Nicholson*, on the 23th of *February* last. It appear'd that they came to the House, to distrain for a fine for keeping a Disorderly House, and not with any Intent to steal, and the Prosecution being a malicious one, the Jury honourably acquitted them.

**Jonathan Fitch**, of the Parish of *Chesnick*, was indicted for feloniously Stealing 7 Perry-wiggs, value 20 *l.* from *Corbet Gun*, on the 12th of *September*, in the first Year of the *QUEEN*: The Prosecutor said, that he kept a Shop at *Brentford*, and leaving the Prisoner there at work, whilst he was gone out, the Prisoner went away, and his Goods were gone; but pursuing him, he was afterwards taken at *Cambridge*, and being brought to *London*, denied the Fact; upon his Tryal, he said, that he had bought a Suite of Cloaths of a Man, and had not paid for them, who threatned to arrest him, and having Notice thereof, was forc'd to go away, without leave, and did not take any thing with him: There was no Evidence to prove that they were in his Possession, the Jury acquitted him.

**Humphry Lewis**, of the Parish of *St. Pancras*, was indicted for High Treason, for Counterfeiting the Currant Coyn of this Kingdom, on the 15th of *August*, in the 8th Year of the late King *WILLIAM*, it being so long since, there was no Evidence to prove he coyn'd, the Jury acquitted him.

**Thomas Stedman**, of the Parish of St. *Pauls Covent-Garden*, was indicted for the Murther of one *Christian*, the Wife of *Dennis Macdonnel*, on the 15th of *October*, in the second Year of the *QUEEN*, by giving her a Mortal Wound, with a Sword on the left Part of her Body, near the Loins, of which she soon after died. The Husband deposed, that one *Lewis* and one *Hilton*, Soldiers, were fighting with their Swords in *Covent-Garden*, and the Prisoner being a Serjeant, and coming by the Deceased, said to him, will you see them murder one another, upon which he called her Bitch, and she struck him on the Face, with her Patten, which cuthim on the Eye-brow, then he struck her on the Breast with the Pumel of his Sword, and she getting away, he ran after her, and by the Rails gave her the Wound in the Back; which Fact the Jury having consider'd found him Guilty of Manslaughter.

**Mary Johnson**, alias **Howard**, of the Parish of St. *Giles*'s in the Fields, was indicted for Robbing the House of *Mary Guy* in the Day-time, no Person being therein, and taking thence a Stuff-Pettycoat, a Fustian Waist Coat, and divers other Goods, on the 8th of *April* last; there was no Evidence against him, he was acquitted.

**John Bagford**, alias **Bentley**, of the Parish of *St. Giles*'s in the Fields, was indicted for secretly taking 40 *s.* from *Dorothy*, the Wife of *William Brookhurst*, on the 16th of *March* last; there was no Evidence against her, she was acquitted.

**William Bunch**, was indicted for a Misdemeaner, for Assaulting one *Jonathan Appleyard*, with an Intent to Rob him; there was no Evidence against him, he was acquitted.

Received

Received Sentence of Death 5.

*Richard Dickman*, *Margaret Ellis*, *William Fox*, *Silvester Harlackenden*, and *John Linvill*.

*Cecilia Labree*, who was formerly convicted for High Treason, for Counterfeiting the Current Coin of this Kingdom, and pardoned on condition to Transport her self out of the Queen's Dominions, and never to return more: having broke the Conditions of her Pardon, is Ordered to prepare her self for Death.

Burnt in the Hand, 2.

*James Dimekin* and *Thomas Stedman*.

Burnt in the Cheek, 14.

*Peter Bulkley*, *Cray Mack*, *Richard Cook*, *Mary Deane*, *Robert Finch*, *Mary Ford*, *Ann Hawkins*, *Martha Hill*, *Mary Musgrove*, *Elizabeth Sparks*, *Mary Trenchfield*, *Dorothy Warwick*, *Sarah Windall* and *George Way*.

To be Whipt, 5.

*Ann Digger*, *John Davey*, *Robert Nicholson*, *Mary Robinson* and *Ann Stone*.

*H--- --J ----* Fined six and twenty Shillings and eight Pence.

*Robert Baker* Fined 20 Marks.

*William Haynes* Fined 20 Nobles.

*Mary Vasse* Fined 20 Marks, and to stand 3 times on the Pillory at the Pay-Office, Navy-Office, and Royal-Exchange.

*Margaret Ellis* pleaded her Belly, and a Jury of Matrons being Impanelled, found her to be with quick Child.

*The next ensuing Sessions to begin on* Thursday *the first of* June *next.*

Sir *John Parsons*, Lord Mayor.

God save Queen *ANN*.

## *ADVERTISEMENTS.*

ALL Persons Distemper'd in Mind by Melancholy or Despair, from what Cause soever, are with God's Blessing, speedily Cured, if curable (with the most kind and tender usage allowing them plentiful Dyet, and all other Comfortable Accommodation) by a Physician of long Practice, and great Experience in those Deplorable Cases.

*Living next Door to* Shadwell-*Coffee-House*, *between the Church and Market in* Upper-Shadwell, *near* London. *Who also Cures any kind of* Fits, *and all* Pains *and* Lameness *of the* Limbs, *though Useless and Bedrid.*

---

BIllbury, that formerly Lived on *Ludgate-hill*, next to the *King's-Arms* Tavern near *Fleet-Bridge*, —Now lives at the *Golden-Board* and *Ball*, next Door to *Ship-Court*, up one Pair of Stairs, in the Great *Old-Baily*, near *Ludgate-hill*, Who makes and sells, (and has done above 20 Years) —The Water for taking away the Freckles, Pimples, Worms, Morphew, and red Marks of the Small-pox in the Face: With *Elixir Salutis*, *Balsamum Vitæ*, *Tinctura Vitæ*. Waters and Ointments for the Eyes, Powders, Dentrifices, Elixirs, Essences, Oils, Spirits, &c. both for Ornament, and Curing all Diseases incident to Humane Bodies; but more especially relating to the Female Sex.—Likewise Judgment upon Urine.

The Anti-scorbutick Pills, price 1 *s.* 6 *d.* the Box.

The Elixir for the Colick, and Gripes, 1 *s.* the Bottle.

The Ointment for sore Nipples, and the Piles, 1 *s.* the Pot.

An Ointment for Redness, Pustules, Heat, Scabs, Ring-worms, Tetters, Itch or breaking out in the Face, or elsewhere; price 1 *s.* the Pot.

The Ointment for Aches, and Strains, 6 *d.* the Pot.

The Water for the Freckles, Pimples, &c. The Author has for some Years past, left with several for Sale; who now don't understand, they have been abused by Counterfeits; which to prevent for the future, doth desire those that have bought from them——an't not found the Effect—answer the Ends for which it is proposed, to acquaint her with it, and where they bought it—and likewise to take notice of the Seal, *viz.* The 3 Water-budgets, and *B. L.* on the Top of the Seal. The Price of the half Pint-bottle 3 *s.*

☞ *That you be not imposed on, be sure to remember her Name, and that it is the Person that formerly lived on* Ludgate-hill.

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THe best and most Experienced Remedy for *Sore* or *Weak Eyes*, that ever yet was made known to the World, being of that wonderful Efficacy, that it infallibly dispels any *Humour* or *Salt Rheum* distilling from the Head; and takes away all Soreness, Redness, or Swelling: It also strengthens *weak Eyes*, (sometimes occasion'd by the *Small-Pox*) and will disperse any *Film*, or *Cataract* growing over the *Eye*, whereby the Sight oftentimes becomes dim, in a few times using this excellent Remedy, to those that will be perswaded to use it often, it will preserve the *Sight* to an incredible Age, and read the smallest of Prints. It being a Secret acquir'd by a Gentleman in his long Study, whereby he has wrought wonderful *Cures* among his Relations and Acquaintance; and now made publick for the Benefit of all People that will make tryal of it.

For those that are really *Poor* they shall have it for Nothing; for Others 6 *d.* the *Bottle*. To be had only at the *Bible* in *Westmerland-Court* in *Bartholomew-Close*.

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LONDON: Printed by *John Bradford*, at the *Bible* in *Westmerland-Court*, in *Bartholomew-Close*, Where Persons may have Advertisements inserted in this Paper. 1704. *Price* 2 *d.*

A Full and True

# ACCOUNT

OF THE

## Diſcovering, Apprehending and taking of a Notorious *Witch*, who was carried before Juſtice *Bateman* in *Well-Cloſe*, on *Sunday*, *July* the 23. Together with her Examination and Commitment to *Bridewel*, *Clerkenwel*.

*Sarah Griffith* who Lived in a Garret in *Roſemary-lane* was a long time ſuſpected for a bad Woman, but nothing could be prov'd againſt her, that the Law might take hold of her: The ſome of the Neighbo Children would be ſtrangly effected with unknown Diſtempers, as Vomiting of Pins, their Bodies turn'd into ſtrange Poſtures and ſuch like, that were frighted with ſtrange Apperitions of Cats, which of a ſudden would vaniſh away, theſe and ſuch like made thoſe who lived in the Neighborhood both ſuſpicious and fearful of her: Till at laſt the *Devil* (who always betrays thoſe that deal with him) thus brought the Truth to Light. One *John* ——— at the *Sugar-loaf* had a good jolly fellow for his Apprentice: This Old *Jade* came into his Shop to buy a Quartern of Sope, the young fellow happened to Laugh, and the Scales not hanging right, cryed out he thought that they were be Witch'd; The Old Woman hearing him ſay ſo, fell into a great Paſſion, judging he ſaid ſo to Ridicule her, ran out of the Shop and threatned Revenge. In the Night was heard a lumbring noiſe in the Sop, and the Man coming down to ſee, found a ſtrange Confuſion, every thing turn'd topſy turvy all the goods out of order; but what was worſe, the next day the poor fellow was troubled with a ſtrange Diſeaſe, but the good prayers of ſome Neighboring Divines the power of the *Devil* was reſtrain'd. Two or three days after it happened, that the Young Man with two or three more walking up to the New River Head, who ſhould they ſee but Mother *Griffith* walking that way, They conſulted together to try her, and one of them ſaid let us toſs her into the River, for I have heard that if ſhe Swims 'tis a certain ſign of a Witch; in ſhort they put their deſign in Execution, for coming up to her they toſſed her in; but like a Bladder when forc'd under Water pops up again, ſo this Witch was no ſooner in but Swam like a Corke; they kept her in ſome time, and at laſt let her come out again; ſhe was no ſooner out, but ſhe ſmote that Young man on the Arm, and told him he ſhould pay dear for what he had done: Immediately he found a ſtrange pain on his Arm, and looking on it found the exact mark of her Hand and Fingers as black as a Cole; he went home where he lay much Lamented and wonderfully affrighted with the Old Woman coming to afflict him, and at laſt died with the pain, and Buried in St. *Pulchers* Church yard.

Mr. *John* ——— fearing ſome further miſchief, takes a Conſtable and goes to her Lodging where he finds the Old Woman, and charges the Conſtable with her. She made many attemps to eſcape, but the Devil who owed her a ſhame had now left her, and ſhe was apprehended. As ſhe was conducted towards the Juſtices Houſe ſhe tried to leap over the Wall, and had done it had not the Conſtable knocked her down. In this manner ſhe was carried before the Juſtice, there was Evidence that was with him in his Sickneſs could Witneſs that he had inaccountable Fits, Vomitted up Old Nails, Pins and ſuch like, his body being turned into ſtrange poſtures, and all the while nothing but crying out of Mother *Griffith* that ſhe was come to torment him, his Arm rotted almoſt off Gangreen'd and kill'd him. When ſhe came before the Juſtice ſhe pleaded innocence, but the circumſtances appeared ſo plainly that ſhe was committed to *Bridewel*, where ſhe now remains.

*Witneſs my Hand*, July, 24. 1704. *Tho. Greenwel.*

*London*, Printed by *E. Hills* ... near the Water-ſide.

# A Full and True
# ACCOUNT
## OF THE

Apprehending, Taking and Examination of one Mr. *Harris*, and carried before Juſtice *Tully*, Sworn againſt by Mr. *Stagg*, to be that Notorious Highwayman that uſed to Robb on the Black Mare on *Hounſlow*-heath: then Committed to the *Gatehouſe*, *Auguſt* the 11th, 1704.

*'Tis certain that Men tho ſuffer'd ſometime to go on in their Wickedneſs, yet God at laſt brings 'em to Juſtice, as may be ſeen in the following account.*

A Gentleman of the *Temple* travelling in the Stage Coach, with others to *London*, was ſet upon on *Hounſlow*-heath by the aforeſaid Perſon in company with an other they were a talking of the Man with the Black Mare, little thinking he was ſo nigh, and fearing his coming, had laid outtheir Monys on purpoſe for him: When on a ſudden they were overtaken by two Gentlemen, who Riding backwards and forwards, the ſaid Lawyer had time to make Obſevations of the Man on he Black Mare, and Obſerv'd thatne had a Cut on his Face, beſides ſeveral other markes: Ona ſudden they ſtoped the Coach-man, Clap'd on their Maks, and bid them deliver: The Gentleman looking hard upn the Man on the Black Mare; was ask'd by him what he lok'd on, and Swore if he did not forbear he wou'd ſhoot im; In ſhort, the took the Mony, and Eight ſhillings from the Lawyer, and made him turn his Pockets, not believing but hehad more; they took his Watch and Silver hilted Sword, and ſo left 'em. Some time after the ſaid Lawyer riding to take the Air in *Hide* Park, who ſhou'd over take him but the ſaid Mr. *Harris*; who riding faſtly before the Gentlemen, the Lawyer ſaid that was the Man that Rob'd him on *Hounſlow*-heath, and following him into a Pond where he was a Watering his Mare, ask'd him if he new him; Mr. *Harris* denied he ever ſaw him, but the Lawyer laid hold on him, charg'd a Conſtable with him, very well remembring the Scar on his Face, and poſitively Swore before Juſtice *Tully* that he was the Man that Rob'd him on *Hounſlow*-heath; He denied the Fact; but the Lawyer being poſitive, his Mittimus was made and committed to the *Gate-houſe*.

This Man (that uſed to Robb on the Black-Mare) was formerly a Fencer, had play'd ſeveral Prizes, and afterwards Rod in the Guards: A Perſon very well known to many, and had follow'd that baſe cuſtom of Robbing on the Highways for this many years. A memorable example that verefies the Old proverb, *The Pitcher goes not ſo oft to the Well but it comes home broke at laſt.*

*London*, Printed and S[illegible] *H. H.* in *Blacktriars*.

# AN ACCOUNT

## Of the Apprehending and Taking of

# Mr. Thomas Pitkin,

## The late Bankrupt Linnen Draper, at *Breda* in *Holland.*

## With the manner of his being Diſcovered by an *Officer* in the Engliſh Army, and of his being ſecured by Mr. *Lucy*, an Eminet Linnen Draper in *Cheap-ſide*, till an order be obtained from her Majeſty to bring him Priſoner to *England.*

MR. *Thomas Pitkin* the late Famous, or rather Notorious *Linen Draper* in *Kings-ſtreet* near *Cheapſide*, having Defrauded ſeveral Perſons of great Sums of Mony, to the utter ruin of ſome; and the great Damage of others, went off ſome time ſince with Effects and Money to the value of near One Hundred Thouſand Pound, in ſomuch that the Honourable Houſe of Commons, in order to Detect ſuch a notorious Cheat, and to prevent the like abuſe for the future; after having taken the matter into conſideration made an Act of Parliament, which paſſed the Royal Aſſent, for the Encouragement of any Perſon that ſhould Seize and Apprehend him, as alſo ordered a ſevere Puniſhment to thoſe that ſhould conceal him, and if taken to ſuffer Impriſonment during Life, and to ſtand three times in the Pillory every Year as long as he Liv'd.

Notwithſtanding all this, he has abſconded from Juſtice for a conſiderable time, and tho great diligence has been uſed in order for his diſcovery, it was without effect, till one Mr. *Lucy* an Eminent Linen Draper, to whom *Pitkin* was indebted ten thouſand Pound, hearing by one Mr. *Green* his Factor, that he was arrived in *Holland*, Mr. *Lucy* made no delay, but went over to the *Hague*, with the firſt Opportunity, and ſoon after being informed by Letters, that Mr *Pitkin* was at *Breda* in the Habit of an Officer in the Army, he went thither in Company of his Factor, having firſt obtained an Order from the States of *Holland*, to take him into ſafe cuſtody till further orders, he the ſaid Mr *Lucy* was no ſooner arrived at *Breda*, but was informed by an Engliſh Suttler, who belonged to the Army, that Mr. *Pitkin* was juſt then gone into a Publick Houſe with ſome Commanding Officers; and tho he had changed his Name from *Pitkin* to that of *Johnſon*, a *Scotchman*, he was ſoon found out by Mr *Lucy*, who taking him by the hand, put him in ſuch a conſternation, as rendred him more like a Ghoſt than a mortal man; however, finding himſelf ſurrounded on all ſides by the Officers of the Army to whom Mr. *Lucy* had diſcovered the matter he ſurrendred himſelf, and immediately was carried Priſone (for his better ſecurity) into the Citadel of *Breda*, where he will be continued till an Order be obtain'd from the Queen of *England*, and the States General to convey him to *London*, in order to receive a Puniſhment, ſuitable to the nature of ſuch a Notorious and Villanious Cheat.

Mr. *Lucy* who was the occaſion of his being taken, arrived Yeſterday from *Holland*, and this Day being *May* the firſt, he went to the Queen in order to know Her Majeſty's further pleaſure concerning him, and 'tis thought he will be brought over to *England* with all expedition poſſible.

LONDON, Printed for *T. M.* in *Corne-hill* 705.

# THE Tryal and Examination OF Dr. *WILLIAM DRAKE*,

*On* Wednesday *the 6th of* November, *at the* Queen's Bench-Bar, Westminster, *for Writing a Scandalous and Seditious Libel, Intituled* Mercurius Politicus.

ON *Wednesday* the 6th of this Instant *November*, came on the Tryal of Dr. *William Drake* at the *Queen's-Bench* at *Westminster*, for writing a scandalous and seditious Libel, Intituled *Mercurius Politicus*, the which the Queen's Counsel set forth to be very pernicious and of evil Consequence to the Nation, in that it made several Reflections against the present Government, which is so wisely, and prudently Managed under the most auspicious Reign of her most sacred Majesty, that our Laws, Liberty, and Religion were never in a more flourishing Condition than at this Juncture.

The Arguments and Pleadings of the Council on both sides were very Learned, between whom arose a great Disputation about the Particles *Not* and *Nor*, which held for a considerable time; as also concerning the *Tenor of a Thing*, which was alleged by one of the reverend Judges to be the Copy or Transcript of a *Record*: And indeed several Objections were made by Dr. *Drake*'s Council for his Defence, which gave occasion for the honourable Court to give their most Learned and Judicious Answers and Opinions to the same, backt by many choice Presidents, relating to the like Cases, and Citations from Judge *Hobart*, Judge *Levinz*, and other most celebrated Authors of our Law Reports.

The Heniousness of Libelling was most excellently set forth by Mr. *Attorney* General, in shewing how prejudicial it is to the Constitution Peace and Quiet of this Realm, by making base Reflections on crowned Heads, raising Misunderstandings between Her Majesty's Subjects, and casting false Aspersions on the Nobles to make them odious in the Eyes of the Commons, to the great Danger of raising Animosities and intestine Jarrs in the Bowels of our own Country, and furthermore in exhibiting the Information against Dr. *Drake*, he most pathetically set forth the Scope and design of the Paper Intituled, *Mercurius Politicus*, which strenuously alleged to be a Libel set forth out of a Malicious, Sinister and base Intent against the present Government.

But after the Council on both sides had Learnedly argued the Matter *pro* and *con*, for and against the Prisoner, and some Objections being rais'd (by Dr. *Drake*'s Council in behalf of their Clyent) against the Information exhibited against him, the Court (as aforesaid) gave their learned Opinions on the same, and for several Judicious Reasons suspend their Resolution of Judgment.

☞ At the Sign of the Three *Black-Birds* in the *Great-Minories*, near *Aldgate*. Is Sold a never failing Ointment for the *Gout*, and Rheumatick Pains, although the Parties be reduced to their Crutches: Also a Cure for the *Tooth-Ach* without Drawing.

*London*, Printed by *T. Bland*, near *Ludgate-street*, 1706.

# A Postscript TO THE POST-MAN.

Yesterday an EXPRESS arriv'd with the following Advice,

FROM THE

## Earl of *Peterborough*, and Sr. *John Leake*.

Monday, May, 20th 1706.

ADmiral *Leake* being joyn'd by Sir *George Bing*, he made the best of his way for *Barcelona*, from which the *French* being fled, and as entering into that Harbour receiving Intelligence, that Admiral *Thelouse* was retired to *Roses* with the Squadron under his Command, Sir *John Leake* having first Landed 4000 Land Forces for the relief of *Barcelona*, with great store of Provisions, he hoisted Sail, and arriving with all Expedition before that Bay, he there found the *French* lying at an Anchor, among whom sending in two Fire Ships, they did the good Execution as to Burn 14 Sail, Took six, and had likewise Took the rest, but the Enemy perceiving there was no way left but to Fight their way through, they destroy'd those (which we Took not) themselves.

The Earl of *Peterborough* having News of this great Victory of ours by Sea, and resolving to prosecute the Advantage thereof, he drew up all his Forces, and expeditiously March'd to the Relief of *Barcelona*, and in his way thither being Joyn'd by 5000 Miquelets, and the 4000 Men whom Sir *John Leake* had put a Shore before his Departure from thence, he fell upon M. *de Thesse* in his Trenches, whose Army after four Hours sharp Engagement he entirely defeated, thereby raising the Siege of *Barcelona*, the Inhabitants whereof were bravely resolved to defend that place to the last Extremity, in the behalf of King *Charles* the III. their lawful Sovereign. In this Battle by Land several Prisoners are took of great Rank and Quality, as also all their Bag and Baggage, Ammunitition, and whole train of Artillery, by means of which signal Victory 'tis not to be doubted but that *Spain* will Universally declare themselves in Favour of the House of *Austria*; for the Earl of *Galloway* also is so Successful, that there is no Opposition, since the Defeat of the Duke of *Berwick*, in his March to *Madrid*, where by this time he is safely Arrived.

Sir *Stafford Fairborn*, has brought in six *French* Prizes into *Falmouth*.

Printed by *F. Leach* in the *Old Baily*, for the Author. 1706.

H. 230

# THE Whole Tryal and Examination, OF Robert Fielding, Esq; AT JUSTICE-HALL in the OLD-BAILY, On *Friday*, *December* 6. 1706. For having Two WIVES. WITH The True COPIES of the *Letters* produced in Court.

515. L. 2
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*Printed by Authority.*

ROBERT *Fielding*, Esq; was Indicted for that, he on the 25th Day of *Nov.* 1705. did Feloniously take to him to Wife *Barbara*, Dutchess of *Cleveland*, his First Wife being then alive. The First Evidence for the Queen, and the only one to Prove the Fact was Mrs. *Villars*: She deposed that one Mrs. *Streat* came to her, and acquainted her, that Mr. *Fielding* was passionatly in Love with one Mrs. *Deleau*, a Lady of Quality at *Waddon* in *Surrey*, worth 60000 Pounds; that Mrs. *Streat* desired her to use her Interest (she being an Acquaintance of Mrs. *Deleau*'s) to bring Mr. *Fielding*, and the Lady together; that Mr. *Fielding* went into the Country, not doubting, but if once the Lady could have a Sight of him, she would have the same Respect for him as he had for her; that when he came there, he desired to see the Gardens, and was by the Servants so introduc'd, that he saw a Lady look out of a Window, whom he thought to be Mrs. *Deleau*, and that she might have the more perfect View of him, he was pleased to take divers Turns in the Garden, and set his Watch by the Sun-Dial; when Mr. *Fielding* return'd home again, he acquainted Mrs. *Villars* with his Adventure. She further deposed, that Mr. *Fielding*'s Project being very unlikely to take, she and Mrs. *Streat* propos'd one of their own, that tho' they could not help Mr. *Fielding* to Mrs. *Deleau*, however, they would impose upon him one that should personate her, and be more agreeable to his Fortune; the Person they fix'd on for him, was one Mrs. *Mary Wadsworth*, Mrs. *Villars* further deposed, that she promis'd to perswade Mrs. *Deleau* to come privately to his Lodgings in the *Pell Mell*; that after she had been there a while, he should come in and make an Improvement of his fortunate coming in that Happy Minute: But when the Time appointed came, instead of Mrs. *Deleau*, Mrs. *Wadsworth* appeared in her Shape, with a Mourning Coach, and Widows Habit. She had not been there long, but in comes Mr. *Fielding*, wonderfully surprized with Joy to see his Lady there; that he made his Addresses to her after a very Passionate Manner, and that he entertained the Lady with a Treat, and some *Italian* and *English* Songs, sung by *Margaretta*, whom he sent for, for that Purpose; that Mr. *Fielding* proposed to Marry her, that the Lady seemed Shy, and entertained his Loving Disposition, with an agreeable Modesty; but before she went, she let him know when he might see her again. But instead of her coming, according to Promise, she sent him a Letter to excuse her self, and appointed another time; Mr. *Fielding* return'd an Answer, in which he expres'd abundance of Fervour, and said, there wanted nothing but the Holy Father to make them one, for that their Hearts were one already. Mrs. *Villars* farther deposed, that on the 9th of *November*, Mrs. *Wadsworth* and her self, came to Mr. *Fielding*'s Lodgings, that Mr. *Fielding* was not at home when they came; but in a little time he came, and took his Lady into his Arms, and said, he would fetch the Priest; the Lady would have had it put off till another time, but she could not perswade him to it; that he then went out and lock'd the Door after him; within three quarters of an Hour he came again, and brought a Priest, called the Red Father, with a long Red Gown lin'd with Blue, a long Beard, and a Fur Cap. Mrs. *Villars* farther deposed, that Mr. *Fielding* said, This is the Holy Father that is to make us one, that then his Man *Brewer* was ordered to bring in the Supper, which was done accordingly. Mrs. *Villars* farther deposed, that

Mrs.

Mrs. *Wadſworth* queſtioned the Prieſt, and ſaid, how ſhall I know you are a Prieſt in Orders; the Prieſt put his Hand into his Pocket and pull'd out a Paper of the Pope's Picture, about the bigneſs of a Crown Piece, and ſaid, that none but Prieſts us'd to carry thoſe Pictures about 'em. She deſired ſome other Token, at which he ſhew'd her a Scarf; *Bowcher* was ſent for Water, Salt, and Roſemary, to make Holy Water; that he brought up the Water and Salt, but could procure no Roſemary: *Bowcher* being ſent away, the Marriage was ſolemniz'd in Mr. *Fielding*'s Bed Chamber, there being none preſent but the Bride and Bridegroom, the Prieſt and her Self; that ſhe remembred, the Ceremony of the Ring, the Prieſt bleſſing it, and croſſing himſelf, and that the Sacrament of Marriage was read in *Latin*. She farther depoſed, that Mrs. *Wadſworth*, when they came to this part, *Wilt thou take this Woman to be thy Wedded Wife*, deſired it might be read in *Engliſh*, at which Mr. *Fielding* cauſed him not to proceed; but the Prieſt not underſtanding *Engliſh*, Mr. *Fielding* ſupplied that Defect, and ſaid the ſame Words, with this Addition; *With all my Heart, and with all my Soul*, and required Mrs. *Wadſworth* to do the ſame; but ſhe ſpeaking it faintly: he deſired her to ſpeak it as heartily as he himſelf did. Then ſhe uttered theſe Words; *I take this Man to be my Wedded Husband, with all my Heart, and with all my Soul.* She farther depoſed, when the Marriage was over, the Prieſt was diſcharged, and ſhe put the Lady to Bed. This Evidence farther depoſed, that ſhe ſaw them in naked Bed together the next Morning; and had ſeen them dreſs'd and undreſs'd 4 times in the ſpace of ſeven Weeks. To ſtrengthen Mrs. *Villar*'s Evidence, *Bowcher* was called, who depoſed, that he ſaw the Prieſt, and brought the Salt and Water, and that he ſaw them in Bed together after this, divers times, and took them to be Man and Wife. There were ſeveral others that prov'd the ſame.

Another piece of Evidence was the Ring, which was produc'd by the Proctor of *Doctors Commons*, with this Device engraven in it *tibi Soli, for thee alone.* The Goldſmith that made the Ring, depoſed he made it by Mr. *Fielding*'s Order, and the Device was Mr. *Fielding*'s. Another that was when the Ring was beſpoke, depoſed the ſame. There were likewiſe produc'd divers Pieces of Written Evidence which were prov'd to be his Hand, wherein Mr. *Fielding* does acknowledge Mrs. *Wadſworth* to be his Wife; and one in an eſpecial manner, a Copy of which is as followeth:

*A* LETTER. *Directed to the beſt of VVives*, Anne *Counteſs of* Fielding, *at* Waddon.

*Novemb.* 14.

" THere is nothing can pleaſe me more upon this Occaſion, than to hear my Dear " Wife ſay, I had made her ſick by turning her Liver, for without that we could " not hope for a young Lord *Tunbridge*, which would be next to my Dear herſelf the moſt " welcome Preſent to my Arms; make haſt then my Deareſt Life, to Cultivate the " young Spark, and beſure you do not ſtarve my Boy; as for your coming to me, it " wholly depends upon your ſelf, who can beſt Judge when it is moſt proper to come to " me, which you can do, by your giving out you are to ſtay all Night in *London*; and " then you and *Puggy* have nothing to do but to come at Bed time, and ſo we may go " to Bed and lye till Morning, when *Puggy* may come again and call you.

*Adieu my Souls Love, that I muſt ever value more than Life.*

Mr. *Fielding*, in his Defence, endeavour'd to prove that Mrs. *Wadſworth* was Marry'd to one *Lily Bradley*, to do which, the Regiſter Book of the *Fleet* was produc'd, and there was a Certificate of a Marriage between *Lily Bradley* and *Mary Wadſworth*; but the Place where it was written, it being at the Bottom of a Leaf, the Colour of the Ink, and the Difference of the Hand, with divers other Circumſtances, gave ſufficient Reaſon to ſuſpect the Truth of it. Evidence was call'd to prove Mrs. *Villars* to be a Lewd Woman. And among the Reſt, one Mrs. *Fletcher*; She depoſed that Mrs. *Villars* confeſs'd to her, That ſhe had had two Baſtards; one by the Lord *Torrington*, and the other by the Lord *Stamford*. This Evidence was confronted by a Letter that was produc'd by the other ſide, which Mr. *Fletcher* own'd to be her Hand.

*Tueſday Morning.*

" ALL that knows the Name of Major General *Fielding*, muſt own the Generous " and Charitable Actions that your Honour daily beſtows upon them; and I " among the Reſt, ſhall ever acknowledge your Goodneſs; it's neceſſity that forces me " to diſpoſe of this Picture, your Honour's a Nice Judge of Painting, as well as an Ad- " mirer and true Lover of ſuch Pieces; which makes me humbly preſent to you firſt, " and in accepting the ſame, your Honour will highly oblige, as well as ſerve,

*Your humble Servant,*
M. FLETCHER.

" I long to ſee you, for your Encouragement to grant me that Favour; I am now ac- " quainted with a young Lady that is Pretty, and lives in good Faſhion; your Honour will " oblige me, in letting me receive your Commands.

The Tryal laſted very long, and the Jury having maturely weigh'd the Evidence on both ſides, they brought him in guilty of Felony.

*London*: Printed: *And Sold by* Sam. Bunchley, *at the* Blue-Ball, *in* Ave-mary-lane.

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# The TRYAL and CONVICTION of Several Reputed Sodomites, before the Right Honourable the Lord Mayor, and Recorder of London, at Guild-Hall, the 20th Day of October, 1707.

THomas *Lane*, a Foot Soldier, was Indicted for assaulting of Mr. *Richard Hemmings* and Mr. *Samuel Baker* on the 15th of *September* last. The Evidence declar'd, That *Lane* was standing upon *London-Bridge*, and that he came to Mr. *Hemmings*, and pulling out his Nakedness offer'd to put it into his Hand, and withal unbutton'd the Evidences Breeches, and put his Hand in there, but Mr. *Hemmings* put his Hand away: He the rather bore with the Filthiness of the Action, because Mr. *Baker*, the other Evidence, had told Mr. *Hemmings*, that *Lane* the Prisoner was such a kind of a Person, and therefore design'd to apprehend him, which they did. He said in his defence, that he had been at St. *Thomas's* Hospital, and coming over the Bridge, he went to make Water, and that the Evidence's Hand slipt upon his Nakedness, and such like frivolous stuff; and withal endeavour'd to say, That the Evidence assaulted him. But the Matter appear'd plain against him; and he had little else to say, but that he had been so many Years in King *William's*, and the present Queen's Service, and never us'd to do such Things. After which the Recorder gave his Charge to the Jury; the Verdict being omitted, till the rest of these obscene Trials were over.

*John Williams* was Indicted for Assaulting *Thomas Jones*, and *John Jones*, in *Sept.* last. The Prosecutors each severally declar'd, that the Prisoner upon the *Exchange*, put his hand into their Breeches, and likewise had his Nakedness out, which he offer'd to put into their hands: He was a Youth, and being carried before Sir *Richard Levet*, he confess'd, he had first been seduc'd to that Practice, by one *Fish*, in *May-Fair* last; and that he had done it about four times. He endeavour'd to deny on his Tryal, all he had said before the Justice, and said the Prosecutors threatned him if he did not own it, but all appear'd frivolous and he had no Evidence to call.

*William Huggins* was Indicted for Assaulting *Richard Hemmings*, and *Thomas Jones*, upon the *Exchange*, the 9th of *Sept.* last; the Prosecutors declar'd, that walking upon *Change*, with design to detect such wicked Persons; they were sate upon one of the Benches, and the Prisoner came to them severally, and offer'd to put his hand into their Breeches, pulling out his Nakedness at the same time; upon which they apprehended him, and he said, at that time, that he had hear'd there were such sort of Persons in the World, and he had a mind to try. He had Counsel of his side, and call'd several to his Reputation, who all said he was a very honest Man, as to his course of Life; otherwise, that he was employ'd as a Porter: He said, that he had been carrying 6 Pound of Coffee into Leaden Hall-street: That he had been married about a Year to a young Wife, who was big with Child; and that he always seem'd very fond of her: He deny'd the Fact, and said he never used any such Practices; but none of the Evidence speaking as to what he was indicted for, the Matter was then left to the Jury.

*Ch. Marriot* was Indicted for Assaulting of Robert Bokins, Richard Hemmings, and two others upon London-Bridge. They declar'd he came to them severally, and pull'd out his Nakedness, and unbotton'd their Breeches, and after they had Apprehended him, he confes'd that that day seven-Night, he was pick'd up by a Gentleman in Black, with whom he Committed an Indecent Action, and said the Gentleman offer'd to Commit Sodomy with him; but he refused that. He confessed the same before Sir Robert Beachcroft, but deny'd all upon his Trial, and said he was coming that way, and had no such design, but it was very plain against him.

*Paul Booth* was Indicted on the same account, for Assaulting Robert Bokins, John Butterman, and one Taylor upon the Exchange. The Evidence was much the same; all which appear'd plain against him.

*Benjamin Butler*, was Indicted for assaulting Thomas Grantford, and another in the same Manner upon the Exchange: He confess'd the Fact when taken, but deny'd it upon his Trial, making very lame and trivial excuses, which all avail'd him nothing.

*John Blithe*, Indicted on the like account for Assaulting Robert Bokins, and Thomas Grantford, the Evidence was much the same as the former, he Confess'd it when taken, and had very little to say for himself.

*James Brooke* Pleaded Guilty to his Indictment, which was much the same with the rest.

The Tryals being over, the Jury found them all Guilty of the said Indictments.

Sold by *J. Morphew* near *Stationer's-Hall*. 1707.

# A True COPY of the

# PAPER

## Left by Mr. *William Gregg*, who ſuffered for High-Treaſon the 28th Day of *April*, 1708.

THE Crime I am now juſtly to ſuffer for, having made a great Noiſe in the World, a Paper of a more than ordinary Length will be expected from the Criminal; who therefore takes this laſt Opportunity, to profeſs his utter Abhorrence, and ſincere Repentance, of all his Sins againſt God, and of all the heinous Crimes committed againſt the Queen, whoſe Forgivenes I moſt heartily implore; as I ſhall heartily pray for Her Majeſty's long Life, and happy Reign over Her United People, and Succeſs againſt Her Enemies, with my parting Breath.

This is all the Satisfaction I can poſſibly make injur'd Majeſty. I Declare, in the next place the Reparation I would make, were it in my Power, to thoſe of Her Majeſty's Subjects, I have wronged in any Kind; and particularly the Right Honourable *Robert Harley*, Eſq; whoſe Pardon I heartily beg, for baſely Betraying my Truſt: Which Declaration, though of its ſelf ſufficient to Clear the ſaid Gentleman, yet for the Sake of thoſe whom it was my Misfortune not to be able to ſatisfie in my Life-time, I do ſacredly proteſt, That, as I ſhall anſwer it before the Judgment-Seat of Chriſt, the Gentleman aforeſaid, was not privy to my Writing to *France*, Directly nor Indirectly; Neither I, his unworthy Clerk, any ways acceſſary to the Miſcarriage before *Thoulon*, nor the Loſſes by Sea: All which happened before the Firſt of my Letters, which was writ the 24th of *October*, 1707.

As for my Creditors, as I am in no Condition to ſatisfie them, ſo I earneſtly beg they would forgive me; and I pray God to make up their Loſſes Seven-fold.

For my part, I do freely Forgive all Men, and Die in perfect Charity with them; not without humble Hopes of finding Forgiveneſs, through the Merits of Jeſus Chriſt, with God; who in Mercy touched my Conſcience ſo powerfully from the Beginning, as to prevent my proſtituting the ſame to ſave my Life. For which Inſtance of his Love, to be preferr'd before Life it ſelf, I bleſs and magnifie his Holy Name, with unſpeakable Joy and Comfort, at my Death, nothing near ſo Ignominious as would have been ſuch a Life.

After this Confeſſion, the Duty of a Dying Man leads me to profeſs the Religion in which I was brought up, and do now die, which is the Proteſtant: The Scandal given thereunto by my Enormous Practices, can't be better taken away than by my publiſhing to the World, my hearty Sorrow for thoſe ſenſual Pleaſures which have proved my Bane: Therefore let all, who ſhall read this poor Paper, take Warning by me, to ſhun the like youthful Luſts; to which, whoever gives up himſelf, can't tell how far they may, when indulged, carry him; even to the Committing of ſuch Crimes as he thought himſelf uncapable of ſome time a Day; of which Truth, I, to my woful Experience am a melancholy Inſtance: But at the ſame Time, I appeal to the great God, before whom I am going to appear, That notwithſtanding all the Pains taken to make me out an Old Offender, by faſtening on me the Crime of Counterfeiting the Coin, this is the firſt Fault that ever I ventured upon, which was not out of any Zeal for the Pretender, whom I not only Diſown at my Death, but ſolemnly declare, That in all my Life, I never thought he had Right to thete Realms, how fooliſhly ſoever I may have rendered my ſelf Obnoxious in this Particular; but the only Motive of my mad Undertaking was Money, (of which I never Received any) on Account of the Ship Paſs, though I have met with the more juſt Reward of ſuch Secret Services intended by

*William Gregg.*

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* Printed for *J. Mathews*, near *Stationers-Hall*. 1708.

*A True Copy of the* PAPER *at large, left by* Mrs. Deborah Churchill, *which she deliver'd at the Place of Execution to a Friend of hers, to be made Publick after her Death, for the Benefit of all Young Women, to take Warning by her Fatal End, Together with her last Prayer at the Place of Execution, and an Account of her own Birth, Education, and manner of Life for some Years past: The Substance or Part of which, is related by* Mr. Lorrain ORDINARY *of* NEWGATE, *in his* Dying Speech.

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AS I have been brought by a fatal and wicked Course of Life, to suffer a Shameful and Ignominious Death; and because the Censure of the World lies heavy upon me therein, I think fit for the Good of others, especially my own Sex, and the advantage of clearing my self, in some Measure, of Things laid to my Charge, to desire the Publishing of this after my Death. As for the Nature of the Murther for which I was Condemn'd, I do declare I was no otherwise Guilty, than by mentioning an unlucky Word, which I never design'd to any such end, nor was I present at the Committing of it; but am too sensible it was thro' my Means, and that God decreed me to suffer for it. As to Mr. *Hunt*, I was indeed with him at that time, but did not, as I any ways remember, provoke him to the Murther; of which, God forgive him. I had kept him Company for some Years, and that in such a wicked manner, as I heartily beg of God to Pardon both him and me, and send him Grace to amend his Life, and to take these my last Words as a Warning, if ever they shall fall into his Hands. I would speak more at large of my Family, were it any ways Material to the World, but it can do no Body any good to know more of them than I shall express, but may be a great Grief in Exposing them.

Let it suffice, my Parents were People of Worth and good Substance, and I was Educated not only Religiously and Soberly, but in a very Genteel and Reputable manner: I have none to reflect on for my Misfortunes, but my own giddy and ungovernable Inclinations. I was Born within 6 Miles of *Norwich*, but came Young to Town, where I soon suffer'd my self to be drawn away into the Enticements of Lust; which by degrees I grew so familiar in, that I cou'd not think of quitting that pleasing, tho' Devilish Course of Life.

My Children is the next Grief that sits near my Heart, whom I beg of the World not to reflect on for my Sins, for their tender Innocence cannot any ways participate of my Crimes; and therefore, I hope the Charitable World will have Pity on them. What my weak and poor Endeavours have been able to assist in, I have try'd to fit my self for another World, and hope I have made my poor Peace with God: And that I may be the more acceptable to him, I leave this as a Warning to others, (especially those of my Sex and Profession) to avoid those very Sins, that by continuance brought me to the fatal End I came to. I desire all Persons (especially Young Women) to take care how they live, and above all, to lead a Virtuous Life, and endeavour to guard their Chastity at first, for there begins their certain Ruin. I kept Company with several, especially the Person that committed this Murther, for which it is thought just that I shou'd suffer, tho' I did not prompt him to it, nor was near him when he committed it; but it was my Misfortune to be concern'd with him, and God has been just in bringing me to this shameful Place, for I have been a very heinous Sinner, and very wicked.

I desire all those of my Acquaintance that lead such a Life as I have formerly led, I beg of them that they would take warning by my Downfall, and to amend their Wicked Lives, lest they bring themselves to the same untimely End, and be un'one for ever. Let them remember, that I liv'd in as much Pride of Life as they do now, but they see my Fatal End; from which I pray God to keep them. *Amen.*

## Her last Prayer at the Place of Execution.

*O God the Father, who hast created me, preserve and keep me. O God the Son, who hast redeemed me, assist and strengthen me to undergo this Fatal Death. O God the Holy Ghost, who infusest Grace into me, aid and defend me. O Holy, Blessed, and Glorious Trinity, Three Persons and One God, assist me in this my last Tryal, and bring me into the way of Everlasting Life.*

*O Blessed Jesus! Wash away my Sins in thy Blood, and receive my Soul. Thou art my Redeemer, make no long tarrying, Oh my God. Say now unto my Soul, I am thy Salvation. Into thy Hands O Lord I commend my Spirit; for thou hast Redeem'd me. O Lord thou God of Truth, God of all Mercies, and God of all Power. Lord Jesus receive my Spirit.* Amen.

Friday December the 17th, 1708. Written with my own Hand. *Deborah Churchill.*

*London*: Printed for *T. King*, near the *Royal-Exchange*. 1708.

A SHORT

# ACCOUNT

OF THE

# PROCEEDINGS

IN THE

# Criminal-Court,

At *Edinburgh*, in *Scotland*.

At the Tryal of *James Stirling*, of *Keir*, *Archibald Seton* of *Touch*, *Archibald Stirling* of *Carden*, *Charles Stirling* of *Kippendavie*, and *Patrick Edmonston* of *Newtown*; for the Crime of Treason, publish'd by the Judges of that Court, by her MAJESTY's Warrant and Allowance: Dated the 13th Day of *January*, $170\frac{8}{9}$.

*EDINBURGH*,
Printed by the Heirs and Successors of *Andrew Anderson*, Printer to the Queen's most excellent Majesty, *Anno Domini*, MDCCIX.

And Reprinted at *London*.

# Advertiſement.

*After the late Tryal of the five* Sterlingſhire *Gentlemen for the Crime of Treaſon, the Queen's Advocate,* [i. e. *Attorney-General*] *thought fit (as he afterward told ſome of the Judges) to repreſent to her Majeſty, ſome Things that had paſs'd at that Tryal. The Judges had Reaſon to ſuſpect, (as well as all who were preſent at that Tryal) that after his Lordſhip's Repreſentation, it might be very neceſſary to ſet that Affair in a true Light; and therefore they drew up an impartial Repreſentation of it, which ſix of the ſeven Judges ſign'd, and tranſmitted to the Secretaries of State, to be, with all Humility, laid before her Majeſty.*

*The Queen having order'd her Advocate,* [i. e. *Attorney-General*] *to print that Proceſs,* [i. e. *Tryal*] *from the Records of the Criminal Court, he thought fit to ſubjoin to it an* Appendix *of his own, without her Majeſty's Authority, or Warrant of the Judges, containing a pretended Narrative of what happen'd at that Tryal,* [i. e. *more than*] *beyond what is recorded. The Judges were ſurpriz'd to find a private Paper ſubjoin'd to an authentick* Extract *of a Proceſs,* [i. e. *Tryal*] *printed by her Majeſty's Authority; and finding, that it contain'd ſeveral undue Inſinuations of their Procedure at that Tryal, they again wrote to the Secretaries, begging them to interpoſe with the Queen on their Behalf, that her Majeſty would allow the Repreſentation ſent up by the Judges to be printed; which they conceiv'd did fully anſwer, and anticipate the Miſrepreſentations in that* Appendix.

*By* Letters *dated the Thirteenth of* January, *One Thouſand Seven Hundred and Nine, the Earl of* Sunderland *and Mr.* Boyle, *Secretaries of State, acquainted the Judges, That her Majeſty was graciouſly pleas'd to allow them to print their* Repreſentation *in ſuch Manner as they ſhould think fit. By Virtue of this Allowance and Warrant, the following* Account *is printed, being the ſame in Subſtance with the* Repreſentation *formerly ſent up by them to the Queen: A few Things only are added to meet the* Appendix *more directly. And what is ſaid in the following Paper, the Judges do firmly aſſert not only to be good Law, but alſo to be preciſe Matter of Fact, as appears by the printed* Extract *of that Proceſs,* [i. e. *Tryal*] *and as can be evinc'd by many Perſons of undoubted Honour and Integrity, who were preſent at that Tryal.*

A SHORT

# ACCOUNT

OF THE

# PROCEEDINGS

IN THE

# Criminal-Court, &c.

BY her Majeſty's Warrant directed to her Advocate, [*i. e.* Attorney] he rais'd an Indictment of Treaſon againſt the Gentlemen above-nam'd, then Priſoners in the Talbooth of *Edinburgh*, for riſing and continuing in Arms, without her Majeſty's ſpecial Authority firſt interpon'd, [*i. e.* obtain'd] in an open Correſpondence with her Majeſty's Enemies, then invading *SCOTLAND*, with the Pretender; and cauſed execute the ſame, [*i. e.* the ſame to be executed] againſt each of them, upon fifteen Days, to anſwer this Indictment: And with the Citation, caus'd to be deliver'd a Liſt of the Witneſſes, whom he was to adduce for proving the Indictment: And of the Jury-Men who were to paſs upon the Priſoners Aſſize, according to the 16th *Act* 2d *Par. Seſſ.* 3d *Char.* 2d § 11th, *concerning the Juſtice-Court:* Which Enacts and Ordains, *That when any Criminal-Libel,* [i. e. *Indictment*] *or Summons of Exculpation,* [i. e. *Vindication*] *are given and executed againſt any Party; That at the ſame Time, Liſts of the Witneſſes to be adduc'd for proving the ſaid Libels,* [i. e. *Indictments*] *and Summons; and of the Perſons, who are to paſs upon the Inqueſt, be alſo given to them; to the Effect, the Parties may know what to object againſt the ſaid Witneſſes, and Aſſizers,* [*or Jury-men*] *why they ſhould not be admitted Witneſſes, or be upon their Aſſize,* [*or Jury.*]

At the Day of Appearance, the Indictment was read againſt the Priſoners, and fully debated *viva Voce*, in Preſence of the Judges, and writ-

ten Informations, appointed to be mutually interchang'd by the Advocates upon both Sides, and thereafter given in to the Judges, for advising the Debate, and Relievancy [*i. e.* Sufficiency or Legality] of the Indictment, upon a Day prefix'd by the Judges, according to the 4th *Act*, 5th *Sess.* 1ſt *Parl.* K. *William*, in *Anno* 1695.

When the Judges, at the ſaid Day, were adviſing the Libel [*i. e.* conſulting upon the Indictment] and Debate, there was no mention made of any ſecond Indictment executed againſt the Priſoners, nor ſo much as ſummarily [*i. e.* briefly] repeated or hinted at; far leſs deduc'd in Judgment, or debated before the Judges: Nor was the Debate, then ready to be adviſ'd, ſo much as crav'd to be holden as repeated againſt the pretended ſecond Indictment, as ought to have been, according to the fore-cited Laws in *Anno* 1672, and 1695. eſpecially ſeeing it is acknowledg'd, *Pages* 28 and 31 of the *Appendix*, ſubjoin'd to the printed *Extract of the Proceſs* [i. e. *Tryal*] *againſt the Priſoners*. That they had rais'd and executed Summons of Exculpation [*i. e.* Vindication] againſt her Majeſty's Advocate, [*i. e.* Attorney] Purſuer in the ſaid ſecond pretended Indictment; and thereby expreſly certify'd him, that they were to propone Defences againſt that ſecond Indictment, and had cited Witneſſes for proving thereof; whereby it is undeniably evident, that this pretended ſecond Indictment was to be underſtood as very different from the firſt Indictment, againſt which the Priſoners had rais'd [*i. e.* exhibited] no Exculpation; [*i. e.* Vindication] and therefore, that the pretended ſecond Indictment ought to have been *ſeparatim* deduc'd in Judgment, and the Priſoners heard upon their Exculpation raiſed [*i. e.* Vindication exhibited] againſt the ſame; but it was neither done, nor deſir'd to be done, as is evident from the *Extract of the Proceſs*, [i. e. *or Tryal*] printed by Authority, in which there is not the leaſt mention of any Indictment, but that which was executed on fifteen Days. Had any other been deduc'd in Judgment, by the inviolable Form of the Court, it would have been recorded and printed, as well as the firſt Indictment: But how this Neglect or Miſtake happen'd in the Hands of one of *beſt and ableſt of Men*, is none of the Judges Buſineſs to enquire.

After the Indictment executed againſt the Priſoners upon fifteen Days, and Informations upon both Sides, had been openly read in Preſence of the Judges, and the whole Court, the Judges conſidering, that Correſpondence with the Enemy was the only Qualification mention'd in the Indictment, which could diſtinguiſh the Priſoners from other Gentlemen travelling in the Country, with Arms after their accuſtom'd Manner; did all ſeven unanimouſly give and pronounce their Interloquitor [*i. e.* Opinion] upon that Indictment, which alone had been read and debated in their Preſence; and found the Priſoners, their riſing and continuing in Arms, without her Majeſty's Authority, and actually correſponding with an open Enemy upon the Coaſt, ready to invade this Part of *Great Britain* call'd *Scotland*, relevant [*i. e.* ſufficient] to infer the Pains [*i. e.* Penalties] of Treaſon libell'd [*i. e.* alledg'd] againſt the Pannels: And altho' the two Points of the Interloquitor [*i. e.* Opinion] pronounc'd by the Judges, were not ſeparately libell'd; [*i. e.* alledg'd] yet Correſpondence being the only Ouvert Act and Qualification of their treaſonable Riſing in Arms, ſpecify'd in the Indictment, the Judges could not but conjoin them in their Interloquitor. [*i. e.* Opinion.]

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The Judges finding the Indictment againſt the Priſoners, founded upon ſuch Statutes and Acts of Parliament only, as concluded the Crimes and Pains [*i. e.* Penalties] of Treaſon againſt the Priſoners; and alſo, judging it neither agreeable to her Majeſty's Honour nor Service, to reſtrict that Libel to any other Puniſhment, than was inferr'd from theſe Laws: They could not think ſuch an high Indictment and Accuſation ſhould dwindle away into the arbitrary Puniſhment of a pecuniary Fine; neither was there any Fundation in the principal Indictment for ſo doing: The Words, *And to be otherways puniſh'd in their Perſons and Goods, by the Pains* [i. e. *Penalties*] *of Law*, being no Alternative for a different Puniſhment from the Pains [*i. e.* Penalties] of Treaſon, but only a copulative Concluſion for the additional Pains [*i. e.* Penalties] of Treaſon, beyond [*i. e.* over and above] what are expreſs'd in the Indictment, ſuch as, *The Tainting of the Blood, Tearing of Coats of Arms*, &c.

After the Judges had given this Interloquitor, [*i. e.* Opinion] wherein her Majeſty's Advocate and his Aſſiſtants had acquieſc'd at the Advocate's Deſire, the Court was adjourn'd for ſome Hours, that he might prepare Interrogators [*i. e.* Queries] to be put to the Witneſſes, whom he was to adduce againſt the Priſoners.

In the Afternoon when the Court had met again, Interrogators [*i. e.* Queries] were exhibited by the Purſuers, [*i. e.* Proſecutors] and all the Witneſſes (whom her Majeſty's Advocate [*i. e.* Attorney] thought fit to adduce, he being again and again ask'd by the Judges, if he would adduce any more of theſe) given in Liſt to the Pannels, when they got that Indictment, which had been debated before, and advis'd by the Judges, were particularly examin'd upon every Interrogator, [*i. e.* Query] according to Law; as is provided by ſpecial Acts of Parliament, and as the Depoſitions of theſe Witneſſes ſet down at large in the printed Tryal do evince. From which it is eaſy to remark *the Plainneſs* and *Impartiality* of what is aſſerted in the Appendix, *Page* 33. *That the Jury came to be inclos'd* [i. e. *ſhut up*] *without Probation.*

When the Examination of theſe Witneſſes was at an End, her Majeſty's Advocate, [*i. e.* Attorney] call'd ſome other Witneſſes, who he ſaid were given out in Liſt to the Priſoners ſince the former Day's Debate, according to the 3*d Act Parl.* 1*ſt* late K. *James* 7*th Anno* 1685, *allowing Citations againſt Perſons in Priſon for Treaſon, to be given upon forty eight Hours.* And therefore craved theſe Witneſſes might be examin'd, for proving the firſt Indictment.

After much Debate betwixt her Majeſty's Advocate, [*i. e.* Attorney] with his Aſſiſtants, and the Advocates, [*i. e.* Council] for the Priſoners, whether theſe Witneſſes ſhould be receiv'd or not, the Judges upon adviſing that Debate, repell'd, [*i. e.* rejected] the Objection made againſt the Witneſſes. That they were *Socii Criminis*, [*i. e.* Fellow-Criminals] ſince they did not ſtand convicted and condemened, as guilty of the Treaſon libell'd, [*i. e.* exhibited] againſt the Pannels. And albeit the Judges did conſider, that the 3*d Act Parl.* 1685. was made chiefly to ſurprize Diſſenters, guilty of hearing Preſbyterian Miniſters preach in their Houſes or Fields, and ſuch like Crimes, into unexpected Tryals for their Lives, Fame and Fortunes, and thereafter to hurry them more ſummarly, [*i. e.* ſpeedily] into Eternity by a ſudden Execution, as was practis'd at that Time. And did alſo conſider, that it ſeem'd not very agreeable to

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Equity and Juſtice, nor to her Majeſty's Clemency and Goodneſs, That ſince the Puniſhment of Treaſon is greater than any other Crime, and the Parties accus'd being in Priſon, and under Reſtraint; and thereby depriv'd of many Advantages for making their Defence; that therefore they ſhould have leſs Time allow'd them to prepare for their Tryal, and find out and adduce Witneſſes for their Exculpation, [*i. e.* Defence] allow'd by the Law of *Scotland*, than other Criminals at Liberty ſhould have: As alſo, that this Law had never been founded upon, nor made uſe of, ſince the happy Revolution, but always reckon'd, and at the Revolution pointed at, as among the Grievances which then afflicted the Nation, and one of the impious and intolerable Laws of that Parliament, holden in *Anno* 1685, for ſo they were characteriz'd by the Act 18th of the Meeting of Eſtates at the Revolution in *Anno* 1689. Yet the Judges did not determine that theſe additional Witneſſes ſhould not be admitted to prove the Indictment inſiſted upon againſt the Priſoners, and advis'd by the Judges upon the Conſiderations ariſing from the foreſaid Act of Parliament, 1685. But only becauſe theſe additional Witneſſes had not been given out in Liſt with the Indictment, which alone was inſiſted upon by the Advocates, [*i. e.* Council] againſt the Priſoners; and advis'd, [*i. e.* allow'd] by the Judges: And that by the forecited Acts of Parliament, 1672, and 1695, no Witneſſes can be allow'd to prove an Indictment, but theſe who are given in Liſt to the Pannels, at that ſame Time with the Citation upon that Indictment, which is deduc'd in Judgment, and debated in Preſence of, and advis'd, [*i. e.* allow'd] by the Judges, upon written Informations given in by both Parties. But it is impartially own'd by the Appendix, Page 30. That theſe additional Witneſſes were not in the Liſt given with the firſt Indictment; and with Plainneſs enough acknowledg'd Page 28, That the laſt Indictment was only *in terminis*, the ſame with the firſt, and does not pretend that it was *ſeparatim* read, and inſiſted on in Court againſt the Priſoners: Therefore the Judges having no other Indictment under their Conſideration, but that whereby the Priſoners had been cited upon fifteen Days, could not either by Law, Juſtice, or the conſtant Practice of that Court, admit Witneſſes to prove an Indictment againſt the Priſoners, who had not been given out in Liſt to them, when they were cited upon fifteen Days to anſwer to the above Indictment, unleſs they ſhould have manifeſtly contraveen'd [*i. e.* acted contrary to] the Law, in depriving the Priſoners of all their juſt and legal Defences, competent to them againſt that pretended ſecond Indictment, whether from the ſaid 3d Act of Parliament 1685, or the Informalities of the Executions, and other Grounds of Law, and juſt Defence which might be contain'd in the Exculpation rais'd [*i. e.* Vindication exhibited] at their Inſtance, and own'd to have been executed againſt her Majeſty's Advocate, Purſuer, [*i. e.* Attorney the Proſecutor] which no Judge could conſider or cut the Priſoners ſhort of, 'till their Advocates [*i. e.* Council] had been heard thereon, after reading the ſaid pretended ſecond Indictment in open Judgment; much leſs in this Caſe, could the Judges repel the Exculpation [*i. e.* effect the Defence] before hearing the ſaid pretended ſecond Indictment, ſeeing by the very raiſing an Exculpation [*i. e.* Defence] againſt the ſecond Indictment, the Priſoners did hold the ſame to be a quite diſtinct and ſeparate Indictment, from what whereupon they had been cited upon fifteen Days; and therefore the Witneſſes given out with the laſt pretended

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Indictment, could never be admitted as Habile [*i. e.* legal Witneſſes] to prove the firſt. And albeit her Majeſty's Advocate might have deſerted the Dyet [*i. e.* put off the Time] of the firſt Indictment, before Interloquitor [*i. e.* Judgment or Opinion] was given thereon by the Lords, [*i. e.* Judges] and the Probation enter'd upon by the Witneſſes in the firſt Liſt; or before that Time, the Witneſſes in the firſt Liſt might have been given in Liſt with the Witneſſes of the ſecond Indictment, and that only inſiſted upon; yet neither of theſe being done by ſome unhappy Miſtake of the Purſuers, [*i. e.* Proſecutors] but the firſt Indictment only inſiſted on, the Judges could not admit theſe additional Witneſſes to be examin'd, without violating the Laws, and invading the Rights and Liberties of the Subjects; whereas it is their Duty and Office to preſerve and maintain their juſt Priviledges in both, eſpecially as to the Forms eſtabliſh'd in Criminal Tryals, which, by our Law, are a Security to her Majeſty's beſt Subjects, equal, if not beyond what obtains in any other Nation.

From what is before ſet down, theſe Points are evident and clear, 1. That there was only one Indictment preferr'd and read againſt the Priſoners in Court, whereby they had been cited on fifteen Days, and that this Indictment only had been dated in Preſence of, and advis'd [*i. e.* adjuſted] by the Judges. 2. That this Indictment did contain no expreſs Ouver Act or Qualification of Treaſon, excepting only correſponding with the Enemy upon the Coaſt. 3. That it was neceſſary actual Correſpondence with the Enemy ſhould be join'd with the Pannels riſing and continuing in Arms, to diſtinguiſh them from the peaceable travelling of ordinary Subjects, arm'd in like Manner. 4. That the Indictment libelling [*i, e.* quoting] Acts of Parliament againſt the Pannels, which conclude the Pains [*i. e.* Penalties] of Treaſon expreſly; all the Judges agreed they could not reſtrict the Libel to an inferior arbitrary Puniſhment, or pecuniary Mulct. 5. That there was no ſecond Indictment ever preferr'd in Judgment againſt the Priſoners, and that ſecond Indictment was look'd upon by the Priſoners to be a diſtinct and ſeparate Proceſs [*i. e.* Tryal] from the firſt, and their Senſe thereof ſignify'd to her Majeſty's Advocate [*i. e.* Attorney] by the Exculpation rais'd [*i. e.* Defence exhibited] and executed againſt him at their Inſtance, as both the printed Tryal and Appendix do ſufficiently prove. 6. That according to the fore-cited Acts of Parliament, 1672 and 1695. no Witneſſes being allow'd of for proving an Indictment, but ſuch as are given out in Liſt with the Citation upon that Indictment, and the additional Witneſſes for proving the Indictment debated before, and advis'd [*i. e.* allow'd] by the Judges, not being given out in Liſt with that Indictment, and no other Indictment or Copy thereof being either deduc'd in Judgment, or debated before the Judges, they could not but refuſe to admit theſe additional Witneſſes, according to the expreſs Words of the Statute ſo appointing, and the conſtant Practice of Court agreeable thereto: And ſix of the ſeven Judges were and are of this Opinion.

So that it is more than a Miſtake to inſinuate, as in the Appendix, *Page* 32. that a ſecond Indictment was read in Court, and advis'd [*i. e.* allow'd] by the Judges; or, that there was any Thing mov'd of a ſecond Indictment renew'd againſt the Pannels, before the Judges advis'd [*i. e.* allow'd] the firſt Indictment, and examin'd four Witneſſes thereanent. [*i. e.* upon it] as in the aforeſaid *Page*: Or, That the Inqueſt was incloſ'd, [*i. e.*

ſhut up] without any Probation, as in *Page* 33*d* thereof: For theſe are manifeſt Miſrepreſentations, and are inſtructed, [*i. e.* prov'd] to be ſuch, both from the Tryal as printed, and can be alſo inſtructed, [*i. e.* prov'd] by a Multitude of Perſons in open Court for the Time.

It was at leaſt a Miſtake or Neglect, not to require the Debate upon the Objections againſt the Witneſſes to have been written, and no Fault in the Judges that it was not ſo done. For albeit, there has been no ſuch Practice ſince the Act of Parliament, 1695, and that in the Criminal Records, Inſtances of that Sort are rarely to be found, except where Witneſſes were to be adduc'd for proving the Objection, which conſiſted in Fact, ſuch as *Bribery*, *alledg'd againſt a Witneſs*. Yet it ſeems not very *impartial* to make Inſinuations for loading the Judges, as if they had refus'd or deny'd what was never either aſk'd or propos'd in due Time.

The Judges ſhall take no Notice of what eſcap'd the Purſuer, [*i. e.* Proſecutor] in his Paſſion in open Court, and before all the People, upon his Senſe of the foreſaid Neglect or Miſtake, in not deducing the ſecond Indictment into Judgment; that, it ſeems, being an Infirmity of Failure, which may fall out in the Hands of the *ableſt* and beſt of *Men*. As alſo, becauſe the 28th Act of Parliament, 1693, does ſufficiently enable the Judges to vindicate their own Authority, and to repreſs and give a ſufficient Check to any Emergents or Eſcapes of that ſort.

It is neither the Purpoſe of this Paper, nor the Deſign of the Judges, to take this Appendix, or the Purſuers, [*i. e.* Proſecutors] Management in in that Proceſs. [*i. e.* a Tryal] more particularly to Task, tho' there wants not abundant Ground for it. The preſent, ſhort and true Account being only intended to remove the groundleſs Inſinuations in the Appendix, to the Prejudice of the Judges, and for Vindication of their Juſtice, that they have acquitted themſelves dutifully towards her Majeſty, and as faithful Miniſters of the Law towards her Subjects.

*F I N I S.*

A Full and True

# ACCOUNT

OF THE

575. L. 2.
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## Diſcovery and Apprehending

*A Notorious Gang of* Sodomites *in St.* James's *: With the Examination and Committment of* Two *of them to* Newgate, *by* Sir *Henry Dutton Colt.*

NOtwithſtanding the Example made of ſeveral of theſe kind of People, call'd Sodomites, who in a Beaſtly way themſelves with one another to the diſhonour of God, and the leſſening of Mankind; yet, ſeveral Knots, and Gangs of them ſtill Aſſociate themſelves together; and 'tis confidently ſaid that *Skelthorp* the Soldier, who was Executed laſt Seſſions, gave a private Intimation of ſome of them, and the Houſes they met at. He affirming at his Death, and with his laſt Dying Words, that he knew many of them, and had thought in his Lifetime to have diſcover'd them, ſome now ſay, that this Gang has been diſcover'd through his means, others that a Foot-Boy belonging to his Grace the Duke of *O*------, gave notice of their meeting, and had them Apprehended.

So that laſt Night Officers were order'd in ſearch of them, and according to the Account given, they Apprehended Nine of them, ſome at a Brandy-Shop near *Germanſtreet*, the Perſon that kept the ſaid Shop being himſelf one of the Gang, who was alſo Apprehended, as likewiſe the Footboy belonging to the Duke of *O*------, and ſome of them at other Places.

Being brought before Sir *Henry Dutton-Colt*, at St. *James*'s, They were Examin'd, and upon many Inſtances of the Beaſtly Fact of Sodomy alledg'd againſt them, they were this Day being *Thurſday* the 7th inſtant Committed two of them, viz. the Foot-Boy, and the Brandy Man and ſome to the *Gatehouſe*.

It is alſo Diſcours'd that a Diſcovery is made of many more of them, for whom Officers are out in ſearch; ſo that 'tis hop'd the whole Knot of them will be now Detected, to the great Satisfaction of all honeſt People.

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LONDON: Printed for *T. Bland* near *Fleetſtreet*. 1709.

# ACCOUNT

575. L. 2
210

# THE Perjur'd Phanatick:

Or, the MALICIOUS

# CONSPIRACY

OF

Sir *JOHN CROKE*, of *Chilton*, Bar^t.

Juſtice of Peace in *Com' Bucks'*,

HENRY LARIMORE, Anabaptiſt Preacher,

And other PHANATICKS,

Againſt the LIFE of

*ROBERT HAWKINS*, M. A. now living,

And late MINISTER of *CHILTON*.

Occaſion'd by his SUIT for TITHES.

Diſcover'd in a

## TRYAL at *ALISBURY*,

Before the Right Honourable

Sir MATTHEW HALE, then Lord Chief Baron of the *Exchequer*, and after Lord Chief Juſtice of *England*.

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Publiſh'd by his Lordſhip's Command.

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The Second Edition.

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*LONDON:*

Printed for *W. J.* and ſold by *J. Morphew* near *Stationers-Hall*. 1710.

THE Right Reverend Dr. *Fell*, late Lord Biſhop of *Oxford*, gave me five Pounds upon his reading of this Trial.

And the preſent Lord Biſhop of *Glouceſter*, Dr. *Fowler*, gave me three Pounds upon his reading the ſame Trial, and ſent it to me by the Hands of Mr. *William Smythis*, who was at that time his Lordſhip's Curate.

I could mention more Inſtances of this kind, but I forbear, and am,

*Tours to Command,*

*June* 26. 1710. R. HAWKINS.

TO THE

# READER.

I *Have been perſuaded by ſome Perſons of Note to ſuffer this Trial to be Re-printed: The Right Reverend Lord Biſhop of* Waterford *having lately thought fit to give a ſhort Account of it, in the Book which he publiſh'd concerning his unhappy Predeceſſor Biſhop* Atherton; *and the firſt Edition of this Trial being ſo entirely ſold off, that I my ſelf could not obtain a ſingle Copy of it in ſeveral Years, I willingly conſented to the Motion; that ſo thoſe Gentlemen who have ſeen only a ſuccinct Account of this villanous Conſpiracy in the aforemention'd Book, may receive entire Satisfaction by viewing the Trial it ſelf, as it was order'd to be Printed by the Lord Chief Juſtice* Hale. *The ſame Perſons have alſo thought it very proper that ſome Account ſhould be given of the Occaſion of this great Difference between Sir* John Croke, Larimore, *with the reſt of thoſe Perſons of the Town of* Chilton *who joined in this wicked Conſpiracy, and my ſelf: In complyance with their Deſire, I have thought fit to publiſh this brief but true Relation of the whole Matter.*

*I was entertain'd by Sir* John Croke *of the Pariſh of* Chilton *in the County of* Bucks, *Baronet, to attend as Chaplain in his Houſe, and alſo to ſerve the Cure of the ſaid Pariſh of* Chilton; *for which he did under his Hand and Seal promiſe to pay me Fifty Pounds* per Annum, *he being Impropriator of the ſaid Pariſh, and to pay it by Quarterly Payments. When I had faithfully perform'd my Duty in both theſe Capacities above Two Years, and in all that time had receiv'd no Money from him, but upon ſome Occaſions had lent him ſeveral Sums out of my Pocket, at laſt I was ſomewhat urgent with him for Money; and then he told me plainly, That* I did not know him as yet; for, *as he ſaid,* he had cheated all Perſons that he ever had dealt with; and therefore I muſt not expect to ſpeed better than they had done. *I told him, that* I hop'd for better things from him: *But he reply'd, that* he never intended to pay me any Money, and therefore I might take my Courſe.

*When I ſaw that, I went to* London, *and upon Enquiry, found that Sir* John Croke *was Outlaw'd after Judgment, at the Suit of Mr.* Thomas *and Mr.* William Hellows, *the one of* London, *and the other of* Windſor, *for a Sum of Money due from the ſaid Sir* John Croke *to the ſaid Gentlemen; and that his Mannor of* Chilton, *with ſeveral Farms and the Rectory of the ſaid Pariſh, were extended into the King's Hands, and a Leaſe was granted from the Crown, under the Seal of the Court of Exchequer to the ſaid Gentlemen and their Aſſigns. I apply'd my ſelf therefore to them, in order to perſuade them to pay me for ſerving the ſaid Cure, out of the Profits ariſing from the ſaid Rectory: And they, by the Advice of their Council, granted me a Leaſe of the ſaid Rectory, with all the Glebes, Tithes, and other Profits belonging to the ſame, under both their Hands and Seals, to enable me to demand the ſame. Upon which I return'd to* Chilton, *and acquainted Sir* John Croke *with what I had done; humbly intreating him to pay me what was due, and upon that Condition I promiſing to deliver up the ſaid Leaſe.*

*But Sir* John, *inſtead of complying, told me,* I was a treacherous Villain, and had undermin'd him in his Eſtate, and therefore was not fit to live; and that the Leaſe ſhould be of no uſe to me; for that he would find out a way to prevent all my Deſigns, and put a ſtop to all my Proceedings, for he knew how to do my Buſineſs to all Intents and Purpoſes; and bid me get out of his ſight, or elſe he would knock me down immediately: *So I left him in a great Rage and Paſſion. Soon after this, he adviſed one Mr.* Good, *a Miniſter in the next Pariſh, with the ſaid* Larimore *and others, to make a forcible Entry upon my Church in* Chilton, *which accordingly they did, by breaking it open; and I indicted them*

*for*

*for a Riot upon that account, at the next Seſſions at* Buckingham: *And then I deſired ſeveral of the Farmers to give me a Meeting, in Order to prevent a Suit in Law, if poſſible. When they came to me, I told them,* That Sir *John Croke* owed me a great Sum of Money for ſerving the Cure at *Chilton*, which they all knew to be true; and that he refus'd to pay me; and therefore unleſs they would find out ſome way for me to be paid, I muſt put my Leaſe in Suit, and force them to pay their Tithes to me, or compound with me for them. *They reply'd,* That it would be unjuſt in me to make them pay their Tithes over again, which they had bought of Sir *John Croke*, and had taken their Farms Tithe-free. *I reply'd,* If they would let me ſee their Leaſes, I would not inſert any of thoſe Perſons Names in my Bill, whoſe Leaſes bore Date before the Outlawry and Extent; but all thoſe whoſe Leaſes were made ſince that Time, were lyable to pay their Tithes to me, or elſe compound with me for them. *But they reply'd,* That they would conſult Sir *John Croke* about the Matter, and let me know his Anſwer in a ſhort time.

*So when they had diſcours'd with Sir* John, *they told me that he ſaid*, They needed not to fear what I could do to them by vertue of the Leaſe, or upon any other account: *For*, as ſoon as I ſhould begin the Suit and demand the Tithes, he was fully reſolv'd to do my Buſineſs ſo effectually as ſhould ſtop all my Proceedings.

*So when I ſaw I could not prevail to get my Money either from Sir* John Croke *or the Tenants, I was forc'd to exhibit my Bill in the Exchequer for Tithes againſt* Larimore, Mayne *the Conſtable*, Thomas Beamſly, Nicholas Sanders, *and others; which I did in* Michaelmaſs *Term* 1667. *as may appear by the Records of the Exchequer: And when the ſaid* Larimore, Mayne, *and the reſt abovenamed were ſerv'd with Subpœna's to anſwer my ſaid Bill, Sir* John Croke, *ſoon after, viz.* Wedneſday September *the* 16th 1668. *entred upon this Conſpiracy with* Larimore *to take away my Life, as will fully appear by Mr.* Brown's *Evidence in the Trial; which ſhews how they proſecuted their Malice, how Juſtice was done, and my Reputation as well as Life ſecur'd by my Acquittal: I ſhall only mention further, the Incouragement I had from my Lord Chief Baron to proſecute ſeveral of the Conſpirators. He himſelf was pleas'd to direct the Proceſs for ſpecial Bail, to order the Under-Sheriff to demand* 500 l. *Security of each; and, upon a motion at the Exchequer by Sir* Richard Croke *and other eminent Council, that leſs might be accepted, poſitively inſiſted upon the ſaid Order. But all ended in their hearty Submiſſion to me, and a reaſonable Compoſition with them:* Larimore *paid me* 30 l. Thomas Croxton 44 l. Thomas Beamſly 20 l. Mayne 15 l. Nicholas Sanders 12 l. *In all* 121 l. *The others were ſecur'd by their Poverty, and Sir* John Croke *loſt his Commiſſion.*

*Thus I have given a Brief Account of all that I know or believe to be the ground of the Difference betwixt Sir* John Croke *and my ſelf which occaſion'd the wicked Attempt on my Life; and I aver it to be a true one upon the Word of a Chriſtian and a Miniſter.*

ROBERT HAWKINS.

The Names of my Twelve Witneſſes.

Sir *Ralph Verney*, Bart. } Juſtices of the Peace
Sir *Richard Pigot.* } on the Bench.
*Francis Kettleby* Attorney at Law, and Under-Sheriff of the County of *Bucks.*
Mr. *Burch* Gaoler at *Aliſbury.*
*Michael Read* Gent.
Mr. *Wilcox* Gent.
Mr. *Brown.*
Mr. *Tho. Sanders* Conſtable.
Mr. *Henry Golder.*
Mr. *Faulkner.*
*John Acreman.*
*John Chilton* ſubpœna'd by *Larimore*, but prov'd a very material Witneſs for me.

# THE TRIAL.

UPON *Tueſday*, being the 9th of *March*, 1668. I went to *Aliſbury*, and got thither by four of the Clock in the Afternoon, and about the ſame time came in the Reverend Judges, *viz.*

Sir *Matthew Hale*, Knight, (then Lord Chief Baron of his Majeſty's Court of *Exchequer*, but now) Lord Chief Juſtice of *England*; and *Hugh Windham*, Serjeant at Law. And upon *Wedneſday* the 10th of *March* the Aſſizes began; and in the Afternoon of the ſame Day, *Larimore* (by the Advice of Sir *John Croke*, who had then got leave to come to the Aſſizes) carried his Bill of Indictment againſt me, to the Grand Jury, their Names were as followeth.

*John Hill*, Gent.
*Samuel Grange*, Gent.
*Richard Cokeman*, Gent.
*Jacob Sale*, Gent.
*Thomas Redding*, Gent.
*Thomas Berringer*, Gent.
*Clement Summerford*, Gent.
*John Winter*, Gent.
*John Burnham*, Gent.
*Ralph Rice*, Gent.
*Jonathan Tomlins*, Gent.
*William Barret*, Gent.
*John Butterfield*, Gent.
*William Pedder*, Gent.
*John Foſket*, Gent.
*John Sare*, Gent.
*John Merydale*, Gent.
*Robert Worrel*, Gent.
*George Wells*, Gent.
In all Nineteen.

Theſe were the Gentlemen of the Grand Inqueſt for the Body of the County of *Buckingham*; andunto them the foreſaid *Larimore* exhibited his Bill of Felony againſt me. The Sum and Subſtance of it was as followeth,

*The Grand Inqueſt for our Sovereign Lord the King, upon their Sacred Oaths preſent, That* Robert Hawkins, *late of* Chilton, *in the County aforeſaid, Clerk, did upon the* 18th *of* September, *in the* 20th *Year of the Reign of our Sovereign Lord* Charles *the* IId, *by the Grace of God, of* England, Scotland, France, *and* Ireland, *King, Defender of the Faith*, &c. *with Force and Arms*, &c. *at* Chilton *aforeſaid, in the County aforeſaid, two Gold Rings, each of them at the value of ten Shillings; one white Holland Apron, of the value of two Shillings Six Pence; two pieces of Gold, each of them at the value of ten Shillings, and nineteen Shillings in Silver, of the Goods and Chattels of* Henry Larimore, *in the Pariſh and County aforeſaid, then and there being found, then and there feloniouſly he did ſteal, take, and carry away, contrary to the Peace*, &c.

This Bill was Signed by the Grand Jury, *Billa Vera*, Returned to my Lord Chief Baron *Hale*, who then ſate on the Crown's ſide (or upon Life and Death) about ſix of the Clock at Night.

Upon *Thurſday* the 11th of *March*, 1668. my Lord Chief Baron came to the Hall about eight of the Clock in the Morning, and the Court being ſet, I render'd my ſelf willing to be tried according to the Laws of this Kingdom. And when the Clerk of the Aſſizes ſaw me bow to the Court, he then informed my Lord, (and ſaid) This is Mr. *Hawkins*, who ſtands indicted for Felony; and then the Clerk of the Arraigns read the Bill, which was Signed and Returned as before-ſaid; and then I was ſet to the Bar, without any other Priſoners.

Clerk of the Arraigns ſaid, *Robert Hawkins* hold up thy Hand, which I then did; and then the Clerk read the Indictment againſt me as followeth,

*YOU ſtand Indicted in* Aliſbury, *in the County of* Bucks, *by the Name of* Robert Hawkins, *late of* Chilton *in the County aforeſaid, Clerk, for that you, the ſaid* Robert Hawkins, *(not having the Fear of God before your Eyes) upon the* 18th *of* September, *in the* 20th *Year of the Reign of our Sovereign Lord* Charles *the* IId. *by the Grace of God, of* England, Scotland, France, *and* Ireland, *King, Defender of the Faith,* &c. *with Force and Arms,* &c. *at* Chilton *aforeſaid, in the County aforeſaid, into the Dwelling-houſe of one* Henry Larimore, *Feloniouſly did enter, and two Gold Rings at the value of ten Shillings each of them, one white Holland Apron of the value of two Shillings and Six Pence, two pieces of Gold, each of them at the value of ten Shillings, and nineteen Shillings in Silver, of the Goods and Chattels of him the ſaid* Henry Larimore, *then and there being found, then and there Felonioufly you did ſteal, take, and carry away, contrary to the Peace of our ſaid Sovereign Lord the King, His Royal Crown and Dignity,* &c.

How ſayſt thou, *Robert Hawkins*, art thou guilty of the Felony whereof thou ſtandeſt Indicted, or not guilty?

*Robert Hawkins.* Not Guilty, my Lord.

*Clerk.* How wilt thou be try'd?

*Rob. Hawk.* By God and the Country.

*Clerk.* God ſend you a good Deliverance.

*Court.* Call the Jury; which the Clerk did.

*Cryer*, Call theſe, *viz.*

*Richard Lambourne,*
*James Reynolds*, Jun'
*Robert Hoare*, I challenged him. L. C. B. ſet him by.
*Edward Butler.*
*Tho. Coles*, I challenged him. L. C. B. ſet him by.
*Richard Hearneſe.*
*Thomas Sanders* of *Chilton* was challenged by *Larimore*, contrary to Cuſtom.
*Edward Carter.*
*John Goodwyn.*
*William Porter.*
*John Ringham.*
*William Cannon*, Jun'
*William Welch.*
*Edward Cope.*
*Francis Ruſhel.*

All theſe being in number 15. but three of them were challenged, two of them by me, (I being informed) they were no Friends to the Church of *England*; and for the third, *viz.* Mr. *Tho Saunders*, he was challenged by *Larimore*

*more* contrary to Cuſtom, without ſhewing any Reaſon, he being a Neighbour that knew us both, and the buſineſs better than any of the reſt of the Jurors. The other twelve were ſworn as followeth.

*Clerk. Robert Hawkins*, Hold up thy Hand; which I did.

*Marſhal. Richard Lambourne*, lay thy Hand upon the Book; look upon the Priſoner;

YOU *ſhall well and truly Try, and true Deliverance make between our Sovereign Lord the King, and the Priſoner at the Bar, whom you ſhall have in Charge according to your Evidence.* So help you God: Kiſs the Book. And ſo were all the reſt ſworn.

*Clerk.* Cryer, count theſe. *Richard Lambourne, James Reynolds*, two, *&c.* twelve good Men, and true, ſtand together, and hear your Evidence.

*Clerk.* Cryer, make a Proclamation.

O Yes, *&c.*

IF *any Man can inform my Lords, the King's Juſtices, the King's Sergeant, or the Kings Attorney, of any Murders, Felonies, or Treaſons, done or committed by the Priſoner at the Bar, before this Inqueſt be taken between our Sovereign Lord the King and the Priſoner at the Bar, let them come forth, and they ſhall be heard, for now the Priſoner at the Bar, ſtands upon his Deliverance. And all others bound by Recognizance to give in Evidence againſt the Priſoner at the Bar, come forth and give your Evidence, or elſe you will forfeit your Recognizances.*

*Clerk.* Cryer, call the Witneſſes.

*Henry Larimore*, Sen. the Proſecutor.
*Richard Mayne*, Jun. Conſtable.
*Thomas Beamſly*, Tything-man, (Brother-in-law to the ſaid *Larimore.*)
*Dodſworth Croke*, Eſq; (Sir *John Croke*'s eldeſt Son.)
*John Cox.*
*Henry Larimore*, Jun. (Son to the ſaid *Larimore*, near twenty Years old, and not baptized.)
*Mary Keen.*
*Joan Beamſly*, (Siſter to the ſaid *Larimore.*
*Margaret Larimore*, (Wife to the ſaid *Larimore.*)
*John Chilton.*
*William Croke*, Gent. (Son to Sir *John Croke.*)
*John Boyſe.*
*Thomas Welch*
*Samuel Salter.*
*John Stop*, (Sir *John Croke*'s Man.)
*Francis Luce.*
*William Mantill*, alias *Miles*, (Nephew to the ſaid *Larimore.*)
*Richard Mantill*, alias *Miles*, (Brother-in-law to the ſaid *Larimore.*)
*Thomas Croxton*, of *Weſton* on the Green, in the County of *Oxon*, Yeoman.
*Nicholas Sanders.*
*Criſtopher Bethum.*
*Edward Good* of *Long Crendon*, Clerk, (a Perſon that committed a Riot and forcible Entry upon my Church at *Chilton.*)

All theſe (being in number 22) were Witneſſes procured (by Sir *John Croke* and *Larimore*) and ſworn againſt me.

*Clerk. Robert Hawkins*, Hold up thy Hand; which I did.

Here the Indictment was again read.

The Clerk ſpeaks to the Jury thus: Look upon the Priſoner you that be ſworn. You ſhall underſtand that the Priſoner at the Bar hath been Arraigned upon this Indictment, and thereunto hath pleaded not Guilty; and for his

Trial hath put himſelf upon God and the Country, which Country you are. Your Charge is, to enquire whether the ſaid *Rob. Hawkins* be guilty of this Felony (in manner and form as he ſtands Indicted) or not guilty; if you find him guilty, you ſhall enquire what Goods and Chattels, Lands and Tenements he had at the time of commiting this Felony, or at any time ſince; if you do find him not guilty, you ſhall enquire if he fled for the ſame; if you do find that he fled for the ſame, you ſhall enquire what Goods and Chattels as if you had found him; if you find him not guilty, and that he did not flee for the ſame, you ſhall ſay ſo, and no more, and hear the Evidence.

*Henry Larimore* the Proſecutor was ſworn as followeth; Mr. *Larimore*, lay your Hand upon the Book, look upon the Priſoner.

The Evidence that you ſhall give unto the Court, and to the Jury, between our Sovereign Lord the King and the Priſoner at the Bar, ſhall be the Truth, the whole Truth, and nothing but the Truth, *So help you God.* Kiſs the Book.

Here I took Pen, Ink, and Paper, to take Notes at the Bar.

*Larimore* ſaid, (May it pleaſe your Honour, my Lord) upon *Friday* the 18th of *September*, in the Year of our Lord 1668. between twelve and one of the Clock at Noon, I lock'd my Doors faſt, and left no body in my Houſe; putting the Keys in my Pocket, I went to a Hemp-plot (about two Furlongs from my Houſe) to pluck Hemp, where I (and the reſt of my Family) continued till an Hour and half of Sun-ſet; and then coming home, found my Doors wide open: So I went in, and run up the Stairs into my Chamber, (or upper Loft, over my inward Chamber where I lie) I then hearing a Noiſe (in the Chamber where I lie, juſt under me) I peeped down through ſome of the Chinks of the Loft-boards, there I ſaw this Mr. *Hawkins* (pointing with his left Hand towards me, but having his Face all that time towards the Judge) ranſacking and rifling of a Box; in which Box was (then amongſt other Goods) one white Holland Apron, a Purſe, and in that Purſe was (at that time) two Gold Rings, (each of them of the value of 10 *s.*) two Ten-Shilling Pieces of Gold, and 19 *s.* in Silver; all the which ſaid Gold Rings, Gold, and Silver, (except one ſmall Piece of Silver or two) I then ſaw this Mr. *Hawkins* (that is now the Priſoner at the Bar) take, and turn out of this very Purſe, (which I do now ſhew unto your Honour) and he did then ſteal and carry away all the foreſaid Rings and Money, with the ſaid Holland Apron;) All theſe things (my Lord) I ſaw him take *out of my Box, and Purſe*, (for I was all that time looking through the Chinks of the Board:) And when Mr. *Hawkins* heard ſome noiſe, (above) I farther ſaw the Priſoner, now at the Bar, go out of my ſaid lower Room where my Box was, and glanc'd by the Stair-foot-door, and ſo ran out of my Houſe, with a great Bunch of Keys in his Hand, down my Yard, and hid himſelf in a Cloſe, (where there were ſome Beans and Weeds.) All this, my Lord, I ſaw with my own Eyes. Moreover (my Lord) I having a Warrant from Sir *Richard Piggot*, to ſearch for the ſaid Rings and Money, *&c.* I did upon the next Day, (it being *Saturday*, and the 19th of *September*, after Mr. *Hawkins* had robb'd me) I called *Richard Mayne*, Jun' the Conſtable, and Mr. *Tho. Beamſly*, Tithingman, with ſome others of our Town, to ſearch Mr. *Hawkins*'s Houſe for my ſaid Money and Goods, (which the Day before I ſaw him ſteal from me) but he refuſing to open his Doors, (or to let us ſearch,) when we ſaw that, the Conſtable broke open his Doors, and then we went in, and ſearching his Houſe I did then find in an inward Room below Stairs, in a Baſket hanging on a Pin, (put amongſt Papers, and Rags, and other Trumpery) this Gold Ring, and this Five-Shilling Piece of Silver: And I do ſwear that this Ring and Piece of Silver is one of the ſame Rings and Pieces of Silver which the day before I ſaw the Priſoner (now at the Bar)

out of this very Purſe, it being *Friday*, the 18th of *September*, and an Hour and half before Sun-ſet. This was the Sum and Subſtance of *Larimore*'s Evidence, whereupon my Lord Chief Baron aſked *Larimore* theſe Queſtions.

*Lord Chief Baron Hale.* Are you ſure *(Larimore)* that you left your Doors lock'd, when you went out to pluck Hemp?

*Larimore.* Yes, my Lord, I am ſure I did.

*L. C. B.* When?

*Lar.* between twelve and one of the Clock at Noon, my Lord.

*L. C. B.* Upon what Day was it?

*Lar.* It was upon the 18th of *September* laſt paſt, my Lord.

*L. C. B.* Upon what Day of the Week was it?

*Lar.* It was upon *Friday*, my Lord.

*L. C. B.* In what Year was it?

*Lar.* It was in the Year of our Lord 1668, my Lord.

*L. C. B.* Are you ſure that your Chamber-Door, where your Box ſtood, was lock'd at that time?

*Lar.* I cannot (certainly) tell, my Lord.

*L. C. B.* Was the Box lock'd at that time?

*Larimore* to this Queſtion paus'd a while, and gave no anſwer.

*Marſhal.* My Lord deſires to know whether your Box was lock'd (at that time) when you loſt your Money and Goods out of it?

*Lar.* It was lock'd, my Lord.

*Clerk.* Was it at that time lock'd, (by the Oath you have taken?)

*Lar.* It was lock'd, if it ſhall pleaſe your Honour.

*L. C. B.* Were the Locks of the Doors and Box broken?

*Lar.* (My Lord) I cannot certainly tell, but I do believe that they were pick'd open with ſome Pick-lock (or falſe Key.)

*L. C. B.* Did you ſee him, that is now the Priſoner at the Bar, in your Houſe at that time, and in that Poſture, by the Oath you have taken?

*Lar.* I did then ſee him, that is now the Priſoner at the Bar, in my Houſe, my Lord, as I ſaid before.

*L. C. B.* At what time of the Day was it that you ſaw him in your Houſe?

*Lar.* It was an Hour and an half before Sun-ſet.

*L. C. B.* ſaid to me, Sir, will you aſk *Larimore* any Queſtions, before we call more Witneſſes?

*Robert Hawkins.* Yes, my Lord, if I may have leave.

*L. C. B.* Sir, you may proceed to your Queſtions.

*Hawk.* I humbly thank your Honour.

*Hawk.* I pray, my Lord, aſk *Larimore* if he be ſure that I am the Perſon that robbed him.

*L. C. B. Larimore*, anſwer to the Queſtion.

*Lar.* Yes, my Lord, I am ſure he is the Perſon that robbed me, for I know him very well.

*Hawk.* Why did you ſay before Sir *John Croke*, when I was before him, that you could not ſay that I had ſtol'n them?

*Lar.* I ſaid no ſuch thing; [this, all that were there did juſtifie.]

*Hawk.* (My Lord) I deſire to know of *Larimore* if he be ſure that it was upon a *Friday*, and the 18th of *September*, 1668. and an Hour and half before Sun ſet, when he ſaw me in his Houſe, robbing him.

*Lar.* Replied, that it was upon that Day and Time, as near as he could gueſs.

*Hawk.* Why (when *Larimore* found his Doors open, which he expected to have found locked,) did not he call ſome of his Neighbours to aſſiſt him in

 ſearching

ſearching his Houſe, and to ſecure me, (or any other Perſon which he might find robbing him,) rather than to run up Stairs (by himſelf) to alarm any Perſon that was in his Houſe, and thereby giving them Opportunity to eſcape?

*Larimore* ſaid, He did not then ſo well conſider of it as now; but being willing, ſeeing his Doors open, ran up the Stairs, to know what the Matter was, and looking through the Chinks of the Loft, ſaw me in his Houſe, as aforeſaid.

*Hawk. Larimore*, did you ſpeak to me when you ſaw me, or endeavour to ſtay me?

*Lar.* replied, that he was (for that time) ſo amazed, that he could not ſpeak to me.

*Hawk.* (My Lord) I think he is ſtill in great Amazement.

*Hawk. Larimore*, was my Houſe the firſt, or the only Houſe you ſearched?

*Lar.* replied, No.

*Hawk.* If you ſaw me commit the Robbery in your Houſe, why then did you ſearch other Houſes for the Goods which you ſaw me ſteal?

*Lar.* replied to this, That he had been robbed at ſeveral other times.

*Hawk.* Why did not you then rather ſend out Hue-and Cryes to apprehend my Perſon, than to ſearch my Houſe? And why did not you charge me with flat Felony before Sir *Richard Pigott*, of whom you had your Warrant, if you ſaw me rob you;

*Lar.* to theſe Queſtions made no direct Anſwer.

*L. C. B.* Mr. *Hawkins*, will you aſk *Larimore* any more Queſtions?

*Hawk.* No, my Lord, (not at preſent) but when I come to my Defence I hope I ſhall be heard.

*L. C. B.* You ſhall be heard (at large) and ſo ſhall they.

*Hawk.* I humbly thank your Honour.

*Clerk* Aſſ. *Larimore*, who ſhall be next called?

*Lar.* Call *Henry Larimore* the younger.

*Clerk.* Cryer, call *Henry Larimore* the younger.

*Cryer. Henry Larimore* the younger: who anſwer'd, Here, Sir.

*Marſhal.* Lay your Hand upon the Book, look upon the Priſoner.

*Hawk.* My Lord, may I be heard a Word?

*L. C. B.* Yes, Sir, you may go on.

*Hawk.* I humbly thank your Honour.

*Hawk.* (My Lord) is it uſual to admit Perſons that are not baptized, to give Evidence upon a Tryal of Life and Death? For that Perſon, which is now about to be ſworn, (I ſuppoſe) is not baptized.

*L. C. B.* Sir, a Perſon that is not baptized may be ſworn, and give Evidences in Caſes of Felony.

*Hawk.* (My Lord) I ſubmit, but am not fully ſatisfied in it; and, if Occaſion be, I ſhall crave Counſel in that Point, it being Matter of Law, and not of Fact.

*L. C. B.* The Jury may conſider of it.

*Hawk.* (My Lord) I doubt not but they will weigh of what Validity the Oath and Evidence of ſuch a Perſon is.

*Mar. Larimore* the younger, lay your Hand upon the Book, look upon the Priſoner.

The Evidence that you ſhall give to the Court, between our Sovereign Lord the King, and the Priſoner at the Bar, ſhall be the Truth, the whole Truth, and nothing but the Truth: So help you God. Kiſs the Book.

*Larimore* Jun. My Lord, upon the 18th of *September* I came home a little after my Father, and coming in the Yard, I ſaw this Mr. *Hawkins* (that is

now at the Bar) run out of my Father's Houſe, with a great Bunch of Keys in his Hand, and run down my Father's Yard, and hid himſelf in a Cloſe with Beans and Weeds, and when I came into my Father's Houſe, I aſked him what Mr. *Hawkins* did there, he anſwered me, That he had done too much there, for he had robbed him.

*L. C. B.* What Day of the Week was it?

*Lar.* Jun. It was upon a *Friday*.

*L. C. B.* In what Year was it?

*Lar.* It was this laſt *September*, my Lord.

*L. C. B.* Will you aſk him any Queſtions?

*Hawk.* Yes, my Lord, (if I may be permitted.)

*L. C. B.* You may proceed to your Queſtions.

*Hawk.* I humbly thank your Honour.

*Hawk. Larimore*, are you ſure that I am the Perſon which you ſaw run out of your Father's Houſe?

*Lar.* Yes, I am ſure that you are the ſame Perſon that I then ſaw run down my Father's Yard.

*Hawk.* What time of the Day was it when you ſaw me?

*Lar.* It was an Hour and an half before the Sun was down.

*Hawk.* Was your Father within when you came there?

*Lar.* He was within when I came there, and I aſked him as aforeſaid.

*Hawk.* Did your Father ſay no more to you, than what you have related? and did not he enquire which way I run, or went?

*Lar.* He ſaid no more, but that you had robbed him.

*Hawk.* My Lord, and you of the Jury, is it likely, that when the Father had ſeen me commit a Robbery in his Houſe, and the Son coming in immediately upon it, that the Father would not aſk of him which way I went?

*Hawk.* (My Lord) I have done with him at preſent.

*Lar.* Sen. My Lord, pray let *Joan Beamſly* be called next.

*Clerk.* Cryer, call *Joan Beamſly*.

*Cryer. Joan Beamſly:* She anſwer'd, Here, Sir.

*Joan Beamſly*, lay your Hand upon the Book, look upon the Priſoner. The Evidence that you ſhall give ſhall be the Truth, *&c.*

*Joan Beamſly.* May it pleaſe your Honour (my Lord) upon *Friday* 18th of *September* laſt paſt, about an Hour and half before Sun-ſet, as I was going to Milking in the Street (near *Larimore*'s Houſe) I met *Henry Larimore* the younger, and being (at that time) much troubled with the Tooth-ach, I told him of it, deſiring him to help me to ſome hot Water, for I believed that might give me eaſe; *Larimore* replyed, that if I would go with him to his Father's Houſe, he would help me to ſome; ſo going both together, we ſaw this Mr. *Hawkins* (that is now the Priſoner at the Bar) run out of *Larimore*'s Houſe, with a great Bunch of Keys in his Hand, and run down *Larimore*'s Yard into a Cloſe of Beans and Weeds, and there hid himſelf; and when we came into *Larimore*'s Houſe, I there heard young *Larimore* aſk his Father what Mr. *Hawkins* did there, *Larimore* told his Son that he had done too much there, for he had robbed him. When my Lord Chief Baron *Hale* heard how theſe three Witneſſes agreed in their Evidence, he ſaid, Here is enough ſworn (if believed) to hang twenty Men.

*Hawk.* I doubt not but to clear my ſelf, notwithſtanding their Evidence, if I may be heard.

*L. C. B.* You ſhall be heard.

*Hawk.* I humbly thank your Honour.

*L. C. B. Larimore*, have you any more Witneſſes?

*Lar.*

*Lar.* Yes, (if it may pleaſe your Honour) a great many more.

*L. C. B.* Who are they? Call them.

*Lar.* Call *Richard Mayne*, Conſtable.

*Clerk.* Cryer, call *Richard Mayne* Conſtable.

*Cryer. Richard Mayne* Conſtable, who anſwer'd, here Sir, and being ſworn, ſaid as followeth.

*Mayne.* My Lord, upon *Saturday* the 19th of *September* laſt paſt, came *Henry Larimore* Sen. to me, and giving me a Warrant from Sir *Richard Pigott* to Search, commanding me (amongſt others) to ſearch Mr. *Hawkins*'s Houſe for ſome Money and Goods which he had loſt; and when I ſaw his Warrant, I went to *Thomas Beamſly* Tything-man, and charged him, with three or four others, to aſſiſt me, and coming to Mr. *Hawkins*'s Houſe, he denying to open his Doors, I broke them open, and I went into his Houſe, and *Henry Larimore* Sen. did find in a Baſket this Gold Ring, and Five-Shilling Piece of Silver, (Mr. *Hawkins* himſelf being by whilſt he found them) ſo we had him before Sir *John Croke*, who committed him to Priſon, and ſo on Sunday Morning we brought him to *Aliſbury*. This alſo was ſworn by *Dodſworth Croke*, Eſq; *Thomas Beamſly*, and young *Larimore*.

*L. C. B.* Said to me, will you aſk theſe Witneſſes any Queſtions?

*Hawk.* Yes, My Lord (if I may be permitted.)

*L. C. B.* You may go on to your Queſtions.

*Hawk.* I humbly thank your Honour.

*Hawk. Mayne* Conſtable, did *Larimore* deſire you to ſearch my Houſe alone, and did he then tell you, that he ſaw me rob him the Day before?

*Conſtable. Larimore* did deſire me to ſearch ſeveral Houſes, but did not ſay, to me that he ſaw you rob him.

*Hawk.* Where is the Warrant upon which you broke open my Houſe? I deſire to ſee it.

*Conſt.* Here it is,

*Hawk.* Was it *Larimore* himſelf that found the Ring and Five-Shilling Piece?

*Conſt.* It was *Henry Larimore* the elder that found it.

*Hawk.* Was I in the ſame Room when he found them?

*Conſt.* You were in the ſame Room when he found them.

*Hawk*, This was proved falſe, by Mr. *Charles Wilcox*, and *Nicholas Faulkner*, which Perſons kept me in the Hall, whilſt they pretended to find them in the Buttery.

*Hawk.* Conſtable, why did you compel me to go before Sir *John Croke*, which you knew was my Adverſary?

*Conſt.* We did not force you before him.

*Hawk.* This I proved to be ſo, by *Michael Reed* Gent. Mr. *Tho. Saunders*, Mr. *Wilcox*, Mr. *Goulder*, *Robert Caſemore*, and many others that ſaw it.

*Hawk.* Conſtable, Why did you adviſe the Jaylor, Mr. *Burch*, to load me well with Irons?

*Conſt.* I did not adviſe him to do ſo.

*Hawk.* Pray, my Lord, aſk the Jaylor, Mr. *Burch*, what the Conſtable ſaid to him, when he brought me thither.

*Clerk.* Mr. *Burch*, inform the Court what the Conſtable ſaid to you, when he brought Mr. *Hawkins* to you as a Priſoner.

*Jaylor.* (My Lord) when the Conſtable delivered Mr. *Hawkins* to me, on *Sunday* morning, he ſaid, that Mr. *Hawkins* was a notorious Picklock, and that he was confident he could pick every Lock about the Priſon, and therefore he adviſed me to watch him narrowly, and load him well with Irons.

*Thomas Beamſly* being Sworn, his Evidence being the ſame in effect with the

Conſtable's, for Brevity's ſake I omit, but I craved leave to aſk him a Queſtion or two, which being granted, were as followeth.

*Hawk. Beamſly*, Pray what Diſcourſe had you with Mr. *Wilcox* upon the 19th of *September* (preſently after my Houſe was broken up) concerning the time when, (as your Brother pretended to you) he loſt the Ring and Five-Shilling Piece of Silver?

*Beamſly*. He did not remember that he had any Diſcourſe with Mr. *Wilcox* about that.

*Hawk*. Did you not ſay to Mr. *Wilcox*, that your Brother *Larimore* told you that he had loſt the Stone Ring, and Five-Shilling Piece of Silver, which (as he pretended) was found in my Houſe before the difference began betwixt me and your Brother; and moreover that your Brother ſaid he had an Intent to ſearch for the ſame a Month before?

*Beamſly* replied, that he did not remember any ſuch Diſcourſe.

*Hawk*. My Lord, may I be heard a Word or two?

*L. C. B.* You may go on.

*Hawk*. I humbly thank your Honour.

*Hawk*. (My Lord) I ſuppoſe that I can prove theſe Particulars.

1. That *Larimore* told *Beamſly* that he had loſt this Gold Ring and Five-Shilling Piece of Silver (now in Queſtion) before there was any difference between *Larimore* and my ſelf, which began in *Michaelmaſs* Term 1667. this was proved by Mr. *Wilcox*.

2. And that *Larimore* confeſs'd (upon his Oath) before Sir *John Croke*, (upon the 19th of *Sept.*) when I was committed, that he loſt the ſaid Ring and Piece of Silver about a Month before, which muſt be about *Aug.* 19. This was proved by Mr. *Browne*, *Faulkner*, and others.

3. I can prove that *Larimore* told Sir *Richard Pigott*, (when he went for his Warrant to ſearch) that he did ſuſpect ſeveral Perſons for robbing him of this Gold Ring and Five-Shilling Piece, and that I was only one of the ſuſpected Perſons, this Sir *Richard Pigott* did acknowledge to be true.

But now he ſwears that he ſaw me ſteal the Gold Ring and Five-Shilling Piece out of his Houſe on *Friday* the 18th of *Sept.* an Hour and half before Sun-ſet, 1668.

*Hawk*. I pray my Lord, and you that are of this Jury, take notice of this, and compare the times out of his own mouth; but more of this when I come to make my Defence.

*L. C. B. Larimore*, have you any more Witneſſes?

*Lar*. Yes my Lord.

*L. C. B.* Call them, who are they?

*Lar*. Call *Margaret Larimore*.

*Clerk*. Cryer, call *Margaret Larimore*, the Wife of *Henry Larimore*,

*Cryer*, *Margaret* the Wife of *Henry Larimore*. She being ſworn, ſaid, that when ſhe was a Servant to *Larimore*, which now is her Huſband, ſhe had ſeen Mr. *Hawkins*, at ſeveral unſeaſonable Hours in the Night (when her Maſter was in Bed) lying lurking in and about her Maſter's Houſe, Yard, Windows, and Doors, and ſaid that ſhe believed he lay there for no good Intent.

*Hawk*. My Lord, may I aſk this Woman a Queſtion or two?

*L. C. B.* You may do ſo, if you pleaſe.

*Hawk*. I humbly thank your Honour: I'll promiſe you to be brief.

*Hawk*. At what time was it, *Margaret Larimore*, that you ſaw me lurking in your Maſter's Yard as you have ſaid?

*Marg. Lar.* It was in the Night time.

* Here *Larimore* prompts his Wife, which I told my Lord, for which he checked him.

*Hawk.* But how long may it be ſince? *

*Marg. Lar.* I can't tell, it might be about the time that my Maſter was Robbed.

*Hawk.* Did you ſpeak, or call to me when you ſaw me there?

*Marg. Lar.* No, for I was affrighted at it; this ſame was alſo ſworn by *Richard Mantill*, alias *Miles*, Son in law to the ſaid *Larimore*, and alſo by *William* his Son, which for Brevity's ſake I omit farther to relate.

*L. C. B. Lar.* Have you any more?

*Lar.* (Yes my Lord) to prove that this Ring and Five-Shilling Piece is mine?

*L. C. B.* Call them, who are they?

*Lar.* (Eſq; *Dodſworth*, Sir *John Croke*'s eldeſt Son,) and Mr. *Good*, Miniſter of Long *Crendon* my Lord.

*Clerk.* Cryer, Call *Dodſworth Croke* Eſq; and *Edward Good* of Long *Crendon*, Clerk, both anſwered, here Sir. They both being Sworn, Mr. *Dodſworth Croke* ſaid as followeth; taking the Ring in his hand, turned it up and down, and looked very narrowly upon it within and without, and put it upon his finger and pulling it off ſeveral times in the face of the Court and Country, he then informed my Lord, that he was confident, that this was *Larimore*'s Ring and for his Proof and Credit, tells the Court that he had pawned it to *Larimore*.

Mr. *Good* took the Five-Shilling Piece into his Hand, and ſwore, that he being at *Buckingham* Seſſions laſt, about ſome trouble, which I had put him to, [A Riot for entring my Church] He then wanting ſome money, did pawn a Five-Shilling Piece to this *Larimore* for other Money, and he deſiring of him to take care that he had the ſame Piece again, *Larimore* told him that he put a mark upon it; ſo ſeeing a mark upon this Five-Shilling Piece, he ſwore that he did verily believe that this was the ſame Five-Shilling Piece which he had pawned to *Larimore* at the Seſſions before.

*L. C. B.* Said to me, Sir, if you will aſk the Witneſſes any Queſtions, you may?

*Hawk.* I humbly thank your Honour for that freedom, but I do humbly conceive that the proving of the laſt point, *viz.* that the Ring, and Five-Shilling Piece was either *Larimore*'s own Goods, or pawn'd to him, is not much material to my Caſe, for I am free to confeſs, (as much as I can have ground to believe) which is, that *Larimore* might have the Ring and Five-Shilling Piece of Silver in his Poſſeſſion, but the Charge againſt me is, that I ſtole them from him, which I do flatly deny, and do not doubt of clearing my ſelf when I come to my Defence, if I may be heard.

*L. C. B.* Sir, you need not queſtion but you ſhall be heard.

*Hawk.* I humbly thank your Honour, and crave leave to be heard a Word or two (if it be not unſeaſonable)

*L. C. B.* You may go on.

*Hawk.* May it pleaſe your Honour, and the Jury, to take notice that Mr. *Good* ſwears he believes this to be the Five-Shilling Piece that he pawned to *Larimore* laſt Seſſions at *Buckingham*; but I deſire to know if *Larimore* ſwears that this is that Piece which Mr. *Good* pawned then to him, for he beſt knows.

*L. C. B. Larimore*, what ſay you to that?

*Lar.* My Lord, I do ſwear that this is the ſame Five-Shilling Piece which Mr. *Good* pawned to me, the laſt Seſſions at *Buckingham*.

*Hawk.* Then my Lord, and the Jury be pleaſed to obſerve, That Seſſions was held upon the 9th and 10th of *July*, 1668. but the Difference between me and *Larimore*, for (Tyths) was begun in *Michaelmaſs* Term, 1667. which is near nine Months before that Seſſions; and notwithſtanding, *Larimore* did

ſay

ſay to his Brother *Beamſly*, upon the 19th of *September*, that he had loſt this very Ring and Five-Shilling Piece of Silver before the difference began, which is impoſſible (My Lord) as appears by the Oaths of *Larimore* and Mr. *Good*; for how could he be robbed of that Five-Shilling Piece nine Months before he had it? And that he did ſay theſe very Words to his Brother *Beamſly* I have already proved, by the Teſtimony of Mr. *Wilcox*.

*L. C. B.* Said: Mr. *Hawkins*, was this Suit for Tythes begun by you againſt this *Larimore* before the time that *Larimore* ſwears this Felony was committed.

*Hawk.* Yes, my Lord, for I began that Suit for Tythes in *Michaelmaſs* Term, 1667, and *Larimore* ſwears that I robb'd him upon the 18th of *September*, 1668, which is (My Lord) about a Year after. My Lord, it is an eaſy way thus for the Fanaticks to pay Tythes, if they can but hang up the Clergy, they may ceaſe all their future Pleading for Liberty of Conſcience.

Now *Larimore* began to ſtumble, and ſhew his malice in proſecuting me unjuſtly, by his multiplying of feigned Felonies wherewith he did (then endeavour to) load me, of which I appeared Innocent.

*L. C. B. Larimore*, have you any more?

*Lar.* Yes my Lord, pray call *John Chilton*.

*Clerk.* Cryer, call *John Chilton*.

*Cryer*, *John Chilton*, who anſwered here Sir, and being ſworn, my *L. C. B.* ſaid to him, come *Chilton*, what can you ſay to this Buſineſs?

*John Chilton* ſaid, (My Lord) I can ſay nothing, but that I am paid for my Boots.

*L. C. B.* What Boots?

*Chilt.* My Lord, I am paid for my Boots.

*L. C. B.* Our Buſineſs is not now about Boots; but however, come, and tell me what thou meaneſt by them?

*Chil.* My Lord, Mr. *Hawkins* brought me a pair of Tops, to put new Legs to them, which I did, and he coming by my Shop, told me he wanted his Boots: I reply'd they were done; but I being then about to go out, did promiſe Mr. *Hawkins* to lay them in my Window, ſo that he might take them as he went home; which accordingly he did: And when I came Home, I went to Mr. *Hawkins*, who (at that time) was at Sir *John Croke*'s Houſe, where he contented me for my Work before we parted, and this is all that I can ſay, my Lord.

*L. C. B.* What is this to the purpoſe? Can you ſay any more *Chilton*? If you can, go on.

*Chil.* My Lord, Mr. *Hawkins* paid me honeſtly for the Boots: but as ſoon as he began to demand the Tythes of *Larimore*, and did ſue for them, then they lay at me Night and Day, to have me charge Mr. *Hawkins* with flat Felony, for ſtealing the ſaid Boots out of my Shop; but I told them, that I laid them in my Shop-window for him, and did bid him take them as he came back, and he paid me for my Work; and therefore I cannot ſay he ſtole them.

*L. C. B.* Who were they that deſired you to charge Mr. *Hawkins* with the ſtealing of your Boots?

*Chil.* This *Larimore*, Mr. *Dodſworth Croke*, *Richard Mayne* the Conſtable, *Miles*, and *John Sanders*, (who is ſince dead, my Lord)—*Larimore* here interrupted *Chilton*, and ſaid, my Lord, I have five or Six Witneſſes that can prove that all this is falſe that *Chilton* hath ſworn.

*L. C. B.* Call them, for I'll here all, if I ſit till Night.

Then *Larimore* call'd *Dodſworth Croke*, *William Croke*, *John Stop*, *Thomas Welch*, *Samuel Salter*, and *William Sanders*, all theſe being ſworn, the Sum and Subſtance of their Evidence was to this effect.

That

That they had heard *John Chilton* ſay that I had ſtol'n a pair of Boots from him, to which *Chilton* (being then upon his Oath) ſaid, that Mr. *Hawkins* did no otherwiſe than what before I have ſworn; and he farther added, that he never ſaid that I had ſtol'n any thing from him, for he had no reaſon for it.

*L. C. B.* Did this *Larimore* deſire you to charge this Mr. *Hawkins* with Felony, and when did he deſire you to do ſo?

*Chil.* My Lord, *Larimore*, and the reſt that I have named deſired me to charge Mr. *Hawkins* with flat Felony, for ſtealing the ſaid Boots, as ſoon as he demanded the Tythes of *Larimore*; and they would have forced me to fetch a Warrant from a Juſtice of Peace to ſearch for them, and did farther threaten me, in caſe I would not do it that Sir *John Croke* would indict me at the Aſſizes as one acceſſary to the ſtealing of my own Goods.

*L. C. B.* Was *Larimore* one of them?

*Chil.* Yes, my Lord, and he ſaid, that he would make me ſwear that Mr. *Hawkins* had ſtole my Boots, and for that end did ſerve me with a *Subpœna* to be here—Here *Larimore* the ſecond time interrupted *Chilton*, and ſaid, (My Lord, this Fellow, pointing at *John Chilton*, is hired by Mr. *Hawkins* to ſwear this.

*Chil.* Replied, No My Lord, I am not hired by Mr. *Hawkins*, to ſwear, but I might have been hired, or born out, if I would but ſwear that Mr. *Hawkins* ſtole my Boots, by one *Croxſtone*.

*L. C. B.* How! what is that; hired, or born out to ſwear, by whom, and how, tell me the ſtory?

*Chil.* My Lord, I am not hired to ſwear by Mr. *Hawkins*, but if I would ſwear that he ſtole my Boots out of my Shop, I might have been born out in ſo doing. For *Tho. Croxſtone* of *Weſton* on the Green in the County of *Oxon*, told me upon *Monday* laſt, it being the 8th of *March*, 1668. that if I would but ſwear what he would have me againſt Mr. *Hawkins*, *viz.* that he ſtole my Boots, he would bear me harmleſs; but I replied, that it went againſt my Conſcience to do it; I added farther, that, if I ſhould be ſo wicked as to ſwear it, Mr. *Hawkins* can prove the contrary by Mr. *William Croke* and others; to which *Larimore* replied, that I need not fear what Mr. *Croke* knew in that caſe, for he is one of us, and will not juſtify any thing that may tend to our prejudice; I farther told him that I durſt not do it, for if I ſhould, Mr. *Hawkins* might make me fly the Country, as *Smart* did *Wheeler*. To which *Croxſtone* replyed, that if I would ſwear it, he would bear me out againſt the ſaid Mr. *Hawkins* as far as an hundred Pound would go; and if that would not do, as far as five hundred Pound would go.

*L. C. B.* How! bear you out to ſwear, what *Croxſtone* is this that would do ſo? This is not likely to be true.

*Tho. Croxſtone* ſaid, (My Lord) I ſaid no ſuch thing.

*L. C. B.* I do not believe it to be true.

*Chilton* run in, and ſaid, As I live and breathe, my Lord, *Croxſtone* did ſay, if I would ſwear that Mr. *Hawkins* had ſtole my Boots, he would bear me out, as I ſaid before, and if I made any doubt of it, he would give me Bond to make good his Promiſe.

*L. C. B.* ſaid, This is ſtrange.

*Croxſtone.* (My Lord) I ſaid I would bear him out in ſpeaking the Truth, and no otherwiſe.

*Hawk.* My Lord, may I be heard?

*L. C. B.* Yes, you may go on.

*Hawk.* I thank your Honour. My Lord, pray let me aſk Mr. *Croxſtone* two or three Queſtions.

*L. C. B.*

*L. C. B.* So you may, go on.

*Hawk.* Mr. *Croxſtone*, do you confeſs that you did promiſe to bear out *Chilton*, as you ſaid before, in ſwearing the Truth?

*Croxſtone.* Yes, Sir, I did, and no otherwiſe.

*Hawk.* Was it not about the Boots?

*Croxſtone.* Yes, Sir, it was ſo.

*Hawk.* Did not you deſire *Chilton* to ſwear that I had ſtol'n his Boots, after that he had told you I had paid him for them, and thereupon promiſe to bear him out againſt me, in 100 or 500 *l.*

*Croxſtone.* I think it cannot be proved againſt me.

*Hawk.* I pray, my Lord, and you of this Jury, conſider that this *Chilton* is one of *Larimore*'s Witneſſes, and ſwears for the King, and yet he ſwears that he had given me Orders to take thoſe Boots, and that I then paid him for legging of them, and that he had repeated this to *Larimore* and *Croxſtone* ſeveral times; and after all this, *Larimore* and *Croxſtone*, with others, us'd their utmoſt endeavours to perſuade *Chilton* to charge me with Felony, for ſtealing them, and *Croxſtone* promiſed to bear him out in ſo doing, as far as 100 *l.* would go, and if that would not do, as far as 500 *l.* and give him Bond for his Security, *&c.* My Lord, if this amounts not to a Subornation, I am miſtaken. But, my Lord, I have two Witneſſes more, to prove the ſame againſt Mr. *Croxſtone*, and I pray that they may be heard.

*L. C. B.* Who are they?

*Hawk. Anne Scoly*, and *John*, the Son of Mr. *Tho. Sanders*. Both theſe, being called, juſtified in Court what *Chilton* had ſworn againſt Mr. *Croxſtone*: Upon which my Lord Chief Baron ſaid to *Croxſtone*, Come, you did ill to ſolicit Perſons to ſwear theſe things which you knew were falſe; and he farther added, That this made not for the King, but rather for the Priſoner at the Bar. After all this, a rude Fellow *(Tho. Welch)* came in, and ſaid, My Lord, I did hear *Chilton* ſay, that Mr. *Hawkins* had ſtole a pair of Boots from him.

*L. C. B.* What, more Boots ſtill? Come, *Larimore*, have you any more?

*Larimore* ſaid, Yes, my Lord, one Mr. *Boyce*, who being ſworn, ſaid, That at a certain Time, he coming into a Houſe at *Chilton*, found this Mr. *Hawkins*, now the Priſoner at the Bar, and one *James Noble*, (which *Noble* was then drunk, and aſleep upon a Bed) and I ſaw Mr. *Hawkins* have his Hand in *Noble*'s Pocket, and the ſaid *Noble* told me, that at that time he loſt a Gold Ring, and a piece of Gold out of his Pocket.

*L. C. B.* ſaid to me, Sir, what ſay you to that?

*Hawk.* My Lord, I deſire to know if there be any Bill or Indictment againſt me for it.

*Clerk.* There is none, my Lord, that I do know of.

*Hawk.* I deſire, my Lord, that *Noble* may be ſworn, if he be here.

*Lar.* He is not here, my Lord.

*L. C. B.* Why was not that *Noble* here himſelf to proſecute?

*Lar.* I could not find him, my Lord.

*Hawk.* I deſire to know whether *Boyce* came hither of his own accord, or if he be *Subpœna'd* to be here? If ſo, by whom? and who bears his Charges?

*Boyce.* I was *Subpœna'd* by *Larimore*, and he bears my Charges, my Lord.

*Hawk.* How long was it ſince, Mr. *Boyce*, that you ſaw my Hand in *Noble*'s Pocket, as you ſaid before?

*Boyce.* It may be near two Years ago, my Lord.

*Hawk.* Did you ſee me pick or take out of the ſaid *Noble*'s Pocket, the ſaid Ring, or piece of Gold, or any thing elſe.

*Boyce.* I ſaw your Hand in *Noble*'s Pocket, but did not ſee you take any thing out of it.

*Hawk.* Did *Noble* ever tell you that I had pick'd his Pocket of the ſaid Ring, or piece of Gold, or any thing elſe?

*Boyce.* No, but he ſaid he loſt them at that time.

*Hawk.* But you ſay that *Noble* was drunk at that time, and if ſo, it's poſſible he might be miſtaken.

*Boyce.* So he was drunk, and aſleep likewiſe.

*L. C. B.* I think you were all drunk.

*Hawk. Boyce*, you might have done well, to have told Mr. *Noble* of this, when he told you that he had loſt his Ring, and piece of Gold; but can you ſay any thing touching *Larimore*'s being robb'd, or do you know that I am the Perſon that robb'd him?

*Boyce.* No not I, my Lord, I cannot charge him.

*Hawk.* But you ſay that *Larimore Subpœna'd* you to be here, and that he bears your Charges.

*Boyce.* Yes, my Lord, and ſo he does.

*Hawk.* Mr. *Boyce*, if this be all you can ſay for *Larimore*, you will hardly requite his Charges.

*Hawk.* My Lord, may I be heard as to the Evidence of *Boyce?*

*L. C. B.* You may, go on.

*Hawk.* I humbly thank your Honour.

*Hawk.* This *Boyce* ſwears, my Lord, that about two Years laſt paſt he ſaw my Hand in *Noble*'s Pocket, and that *Noble* told him, he then loſt a Gold Ring, and piece of Gold. My Lord, I think (with Submiſſion to your Honour and the Court) I am not bound to anſwer to this Charge, becauſe there is no Indictment exhibited againſt me for it; nor is *Noble* himſelf here to proſecute, or can *Boyce* ſwear that I pick'd *Noble*'s Pocket, or that *Noble* ever told *Boyce* I did, as he himſelf ſwears. But, my Lord, I obſerve in this the Malice of *Larimore*'s Heart, as well as in that of the Boots; for *Boyce* ſwears that he can ſay nothing to *Larimore*'s Bill of Robbery, and yet he forces him to come from *London* hither, to ſtart a ſenſeleſs Story about *Noble*'s Ring, and Gold, which is of near two Years ſtanding. My Lord, if there had been any Truth in it, why was not *Noble* himſelf here to proſecute? and why did he let it reſt ſo long? I ſay again, my Lord, if it had been true that I had pick'd *Noble*'s Pocket, and if *Larimore* had known it, I pray, my Lord, and you of the Jury, what had that concern'd *Larimore?* But, my Lord, I am as clear of picking *Noble*'s Pocket as I am of ſtealing *Chilton*'s Boots, and as clear of both theſe, as I am of robbing this Fellow *Larimore*, that now calls my Life in Queſtion; nay, if he can fairly prove me guilty of one, I am willing to ſuffer as guilty of all.

My Lord, I am bold to appeal to your Honour, whether it be a fair Proſecution in *Larimore*, to ſtir up *Chilton*, falſly, to charge me with Felony in ſtealing his Boots, when I had not only a right in them, but alſo leave from him to take them, and paid him for his Work, which *Larimore* himſelf knows. Nay, my Lord, if I had never paid *Chilton* for his Legs, the Tops being mine, by Law it had not been Felony, but a Treſpaſs, becauſe I had leave from him to take them, and a right in them the Tops being mine. And again, my Lord, I appeal to your Honour, whether it be fair in *Larimore* for him to ride up and down City and Country, to bring a Multitude of Witneſſes together, that can ſay nothing to his Bill, as *Boyce* ſwears he cannot? If this doth not diſcover Malice in a Proſecutor's Heart, I know not what doth, and if that appears to your Honour and the Jury to be in him, how far that ought, as well by Law as Equity, to fruſtrate his Evidence, I am willing to leave to your Honour, and the Jury; and ſo I have done as to *Boyce*'s Evidence.

*L. C. B. Larimore*, have you any more? *Lar.*

*Lar.* Yes, my Lord, *John Cox*, and *Francis Lucy*. They being both ſworn,

*John Cox* ſaid, My Lord, I being in Mr. *Hawkins*'s Company not long ſince, one aſked him, how he thought to come off at the Aſſizes? Mr. *Hawkins* replied, He cared not much for this Plot, tho' he ſhould be convicted, for they could but burn him in the Hand for it, and that he could bite out.

*Lucy*, being ſworn, ſaid, That he heard Mr. *Hawkins* confeſs that he owed *Larimore* 15*s.* but becauſe he had dealt ſo unjuſtly with him, he would make it coſt *Larimore* fifteen times 15*s.* before he would pay him.

*L. C. B.* ſaid, This makes little to the purpoſe.

Come, *Larimore*, have you any more?

*Lar.* I think not, my Lord.

*L. C. B.* If you have any more Witneſſes call them, and they ſhall be heard, and do not ſay when I am gone that your Witneſſes could not be heard.

*Lar.* My Lord, I confeſs they have been fully heard, and I have no more to ſay.

*L. C. B.* ſaid to me, Sir, you have heard the Indictment againſt you, and the Evidence to prove it, you have heard the Charge, now ſay what you can for your own Defence, and you ſhall be heard.

*Hawk.* I humbly thank your Honour; and I hope, my Lord, becauſe the Evidence is large, I ſhall have the more time allowed me to make my Defence, and if ſo, I doubt not but fully to open this Conſpiracy.

*L. C. B.* Do not fear that, for as they have been heard at large, ſo ſhall you likewiſe, God forbid elſe.

*Hawk.* I humbly thank your Honour, and do promiſe to be as brief as conveniently I can; and as I intend to offer nothing but the naked Truth, ſo I will ſay no more, if I am not miſinformed, than I can prove to be true. And, my Lord, becauſe it may ſeem neceſſary for me to offer many things, by way of Defence, in Anſwer to ſo great a Charge; to ſave time, I pray, that it may not be expected by your Honour, or the Jury, that I ſhould call Witneſſes to prove every Particular; but when I offer ſuch things as are moſt material, if either your Honour or the Jury be not fully ſatisfied, touching the Truth of ſuch material Points, I do humbly pray that I may be called upon to prove them; for when I am not called upon for Proof, I ſhall, under favour, my Lord, take it for granted that I am believed. And for Method herein, if I may have leave, I do intend this,

1*ſt*, In general, to ſhew how improbable it is, that I ſhould be guilty of this Robbery, and alſo deliver ſome hints to move the Court and Jury to queſtion whether this Proſecutor, *Larimore*, was robbed at all, or no?

And 2*dly*, More particularly to examine the Evidence, as to Matter of Fact.

*L. C. B.* Go on, Sir, to your Defence.

*Hawk.* May it pleaſe your Honour, and you of this Jury, I begin with the firſt part of my Defence, which is, to hint how unlikely it is that I ſhould be guilty of robbing this *Larimore*.

I. *Larimore* is generally known to be a notorious Anabaptiſt, and an Enemy to the Church of *England*, and a Hater of the Miniſtry in general; but more particularly, he is moſt envious and malicious againſt my ſelf, becauſe I ſued him for Tythes, and cauſed him to be indicted for not coming to Church, or baptizing his Children; for which reaſon his Malice againſt me hath appeared notorious ſeveral ways, as, amongſt others,

1. By diſſuading all that owed me any Money, not to pay me.

2. By his inducing thoſe, to whom I owed Money, to arreſt and trouble me.

3. By diſſuading thoſe that I ſued for Tyths, not to agree with me; he promiſing them, that Sir *John Croke* and himſelf would force me to run the Country, e'er long.

4. By his continual tormenting and vexing me with his falſe Arreſts, and illegal Indictments.

5. By his conſtant endeavour to diſſuade my Friends from any ways relieving me or mine in my greateſt Wants and Neceſſities, adviſing them to ſtarve us.

My Lord, and this Jury, if you are not fully ſatisfied in any of theſe Particulars that I have alledged, I am ready to prove them; but if this be granted, they are, no doubt, ſufficient Arguments to prove the Malice of his Heart. Again I ſay, that it is no ways probable that *Larimore* was robbed, at all, and of this Opinion are moſt of his Neighbours round about him, as may appear by this Certificate, which followeth.

*WE do humbly certifie, that* Henry Larimore *of* Chilton *in the County of* Bucks, *Labourer, is a notorious Anabaptiſt, an Enemy to the Church of* England, *and a perfect Hater of all Miniſters of the ſame, but in particular, moſt inveterate and malicious againſt* Robert Hawkins *Clerk, late Miniſter of the Church of* Chilton, *aforeſaid; for that he doth not only ſeek and deſign utterly to ruin the ſaid Mr.* Hawkins, *himſelf, but makes it his Buſineſs, and daily Practice, to inſtigate others to do the like, and for no other Cauſe, as he hath often confeſſed himſelf, but for that the ſaid Mr.* Hawkins *hath cauſed him to be indicted for not coming to Church, and ſued him for Tyths. And we do verily believe, and are fully ſatisfied in our Conſciences, that the ſaid Mr.* Hawkins *is not at all guilty of the pretended Felony, in ſtealing the Ring, and piece of Silver, which the ſaid* Larimore *hath charged him with, but that it is a mere Contrivance, incboated and ſet on foot by the ſaid* Larimore, *Sir* John Croke, *and others, on purpoſe to revenge themſelves. And we do alſo believe that the ſaid Mr.* Hawkins *is a very honeſt Man, and that he is a very able Miniſter, and a true and faithful Labourer in God's Word, never heard that he was ever ſuſpected, in the leaſt, of Felony, 'till this malicious Proſecution, which is by the ſaid* Larimore, *and others, whom the ſaid Mr.* Hawkins *ſueth for Tyths.*

Witneſs our Hands, *March* 8. 1668.

*Michael Read*, Gent.
*William Read*, Gent.
Mrs. *Bulſtrode*, Widow.
Mr. *John Bulſtrode.*
*John Turner.*
*Joſeph Parſons.*
*Nicholas Faulkner.*
Mr. *William Bulſtrode.*
*John Chilton.*
The Widow *Paverell.*
*Robert Sanders.*
*Chriſtopher Hinton.*
*John Mortimore*, Sen.
Mr. *John Daniel.*
Mr. *John Clarke.*
The Widow *Clare.*
*William Landſdell.*
*William Bouden.*
*John Newman.*
*Thomas Coles.*
The Widow *Newman.*
*Robert Barlow.*
*Theophilus Sanders.*
*John Sanders.*
*John Mortimore*, Jun.
Mr. *Henry Golder.*
Mr. *Thomas Sanders.*
Mr. *Henry Lovell.*
Mrs. *Lovell*, Widow.
*Owen Gibſon.*
Mr. *Tho. Sanders*, Sen.
*Robert Caſemore.*
*Edward Jarvice.*
*Thomas Green.*
*Edward Barker.*
*John Grace.*
*John Freeman.*
*Richard Carr.*
*John Carr.*
*John Acreman.*
*Thomas Whyte.*
*Thomas Ludet.*

The Widow *Meades.*
*Richard Toms.*
*Joſeph Nero.*
*Richard Low.*
*John Culledge.*
*Richard Waude.*
*Theophilus Hinton.*
*Edward Clarke.*
*Jeffery Hart.*
*Richard Budd.*
*John Budd.*
*Thomas Higgs.*
*Roger Gye.*
*Robert Coxhead.*
*William Hitchcock.*
*John Powell.*
*Luke Turner.*
*Richard Badger.*
*John Golder.*
*John Newton.*
*William Collet.*
*John Beckley.*
*Richard Kemp.*
The Widow *Acreman.*
*Robert Flint.*
*William Beckly.*
*Robert Hicks.*
*John Barney.*
*Robert Steele.*
*Stephen Toms.*
*Robert Willet.*
*William Neighbour.*
*William Chittle.*
*Henry Parker.*
*William Aſh.*
*John Golder*, Jun.
*William Golder.*
*William Tipping.*
*Richard Goodwyn.*
*John Boſly.*
*Moſes Collings.*
*Roger Carr.*
*John Cato.*
*William Hayward.*
*Edward Hollyman.*
*Abraham Quelch.*
*John Pymm.*
*John Carter.*
*William Toms.*
*Robert Budd.*
*William King.*
*Cadwalader Crawton.*
*William Aſh.*
*Thomas Whyte*, Sen.
*Thomas Whyte*, Jun.
*David Turner.*
*Jonathan Hand.*
*John Young.*
*John Bedford.*
*John Norcutt.*

By this Certificate, which you ſee ſubſcribed with above an hundred Names, wherein many others (for Brevity ſake) are omitted. Altho' I made no uſe of it upon my Tryal, yet that the World may ſee what an Opinion *Larimore*'s Neighbours had concerning him and his pretended Robbery; which Certificate I have for that purpoſe here inſerted.

II. It is not likely that *Larimore* was robb'd at all, becauſe he did not declare it to his Neighbours immediately, which doubtleſs he would have done, had any ſuch thing befallen him.

III. Nor is he certain as to the time when he was robbed.

For 1. He told his Brother *Beamſly* that he had loſt the Ring and five Shilling Piece in Queſtion, before there was any Difference between him and I: As may appear by this Certificate, under Mr. *Willcox*'s own Hand, which is as followeth,

*THESE are to certifie all whom it may concern, That* Tho. Beamſly *of* Chilton, *Tything-man, told me,* Charles Wilcox *of* Long-Crendon, *(upon* September 19. *in the* 20th *Year of his Majeſty's Reign,* An. Dom. 1668.) *That the five Shilling Piece of Silver, and the Stone Ring, which* Larimore *pretended he found in Mr.* Hawkins's *Houſe, were both loſt before there was any Difference between the ſaid* Larimore *and the ſaid Mr.* Hawkins; *and he farther added, That his Brother* Larimore *told him, that he had an Intent to ſearch*

*for the ſame Ring, and five Shilling Piece, above a Month before he did. This I can and will depoſe, whenſoever I ſhall be thereunto required.*

Witneſs my Hand,
*Octob.* 8. 1668. CHARLES WILLCOX.

By this Certificate, it appears (by *Larimore*'s own Confeſſion to his Brother *Beamſly*) that he had loſt this Ring, and five Shilling Piece, before there was any Difference between him and I, and ſeeing I began my Suit for Tyths in *Michaelmas* Term, 1667. againſt him and others, as it is well known to the Inhabitants of *Chilton*, and alſo may appear by the Records of the Exchequer.

This is the firſt time that *Larimore* ſaid he had loſt the Ring and five Shilling Piece.

And that this is falſe muſt needs appear by what Mr. *Good* and *Larimore* have already ſworn in open Court, *viz.* That Mr. *Good* pawned the five Shilling Piece to *Larimore* at *Buckingham* Seſſions laſt, (which Seſſions were held upon the 9th and 10th of *July*, 1668.) which is near nine Months after the Difference began.

And moreover, *Larimore* confeſſed upon his Examination before Sir *John Croke*, when I was committed, (which was upon the 19th of *September*, 1668.) that he had loſt the Ring and five Shilling Piece a Month before, which muſt conſequently be about the 19th of *Auguſt*, 1668; and if ſo, how is it poſſible that he could have loſt them before the Difference began betwixt us, which was above ten Months before he had them?

III. He now ſwears in open Court, that he ſaw me ſteal the ſaid Gold Ring and five Shilling Piece of Silver out of his Houſe, upon *Friday* the 18th of *September*, 1668. preciſely an Hour and half before Sun-ſet; all which times being compared together, can no ways be poſſible; for which I dare appeal to all that hear it. Nor is it likely, in caſe he could prove that he was robb'd, which I am confident he never can, that I am the Perſon that robbed him; as may appear upon theſe Conſiderations, amongſt others.

1. Is it likely that I ſhould commit a Robbery in my own Pariſh, in the Day time, where all that ſaw me muſt needs know me, and at the Houſe of ſuch a Perſon as this *Larimore* is, that had ſolemnly ſwore but a little before that he would take away my Life, as may appear by what his Son ſaid to *Anne Scoly?*

2. Is it probable, that if I were guilty, I would not have made my Eſcape, having twenty four Hours time, and four or five Hours notice after they firſt attempted to ſearch my Houſe? Or that in all that time I could find no better Place to conceal a Ring, and five Shilling Piece, than in a little Baſket, with two or three Eggs, which all that time was hanging upon a Pin.

Again, if *Larimore* ſaw me rob him upon the 18th Day of *September*, 1668. as he ſwears he did, why did not he then ſecure me? He ſwears I ran away, why did not he ſend out Hue and Cries to diſcover and apprehend me? But the ſaid *Larimore* was ſo far from doing it, that he never declared it to any of his Neighbours, nor to the Conſtable when he commanded him to ſearch, as may appear as well by the ſearch itſelf, in that they ſearched other Houſes before they ſearched mine, as by the Conſtable's Oath, who ſwears that *Larimore* ſaid not any thing to him that he had ſeen me rob him, nor did the ſaid *Larimore* declare it to Sir *John Croke*; for if he had, Sir *John*, no doubt, would have inſerted it in the *Mittimus*, which he hath not done: Nor did he declare it to Sir *Richard Pigott*, from whom he fetch'd his Warrant to ſearch, as may appear by the Contents of it.

Whereupon my Lord Chief Baron *Hale* calling to the Conſtable for the Warrant, which being delivered, the Judge himſelf immediately eſpied that the ſaid Warrant bore Date a Day before the Robbery was committed, which when my Lord obſerved, he aſked *Larimore* if he fetched this Warrant to ſearch for this Ring and five Shilling Piece? To which *Larimore* replied, He did; and then my Lord aſked *Larimore* upon what Day he was robbed? He replied, Upon *Friday* the 18th of *September*, 1668.

*L. C. B.* How comes it then to paſs, *Larimore*, that the Warrant bears date the 17th Day, and you ſwear that the Priſoner at the Bar did not rob you till the 18th Day? This is likely to be true.

*Larimore* to this replied, That he was robbed at ſeveral other times.

*Hawk.* My Lord, may I be heard a Word?

*L. C. B.* You may, go on.

*Hawk.* I humbly thank your Honour. And I hope the Jury will take notice how *Larimore* hath enſnared himſelf, by the Date of the Warrant, which my Lord firſt diſcovered. And whereas *Larimore* replyes, that he was robbed at ſeveral other times, he may have credit, but by thoſe only that can believe all that he hath ſaid and ſworn; For he ſaith that he was robbed before he and I differed, which muſt be before *October*, 1667. and he told Sir *John Croke* likewiſe when I was committed, that he was robbed of the foreſaid Goods but a Month before, which muſt needs be about the 19th of *Auguſt*, 1668. but now he ſwears in Court, that he ſaw me ſteal theſe Goods on *Friday*, the 18th of *Sept.* 1668. which muſt needs be impoſſible, that I ſhould rob him at three ſeveral times of the ſame Ring and Five-Shilling Piece; and beſides this, it is improbable, that he ſhould be robbed before *October*, 1667. and again in *Aug.* 1668. becauſe he never declared any of theſe Robberies to any perſon, before the 16th of *Sept.* 1668. upon which Day he and Sir *John Croke* concluded upon this Conſpiracy, as hereafter I ſhall make appear; And moreover, *Larimore* himſelf confeſſed even now, that he fetch'd this Warrant to ſearch for this very Ring and five Shilling Piece, which now he denies. By this all may ſee how notoriouſly he contradicts himſelf.

*L. C. B.* ſaid to *Larimore*, Thou art very cunning, to be provided with a Warrant a Day before you was robbed. It ſeems you knew upon the 17th Day that you ſhould be robbed on the 18th Day, and alſo that this Perſon now at the Bar ſhould rob you. Surely you can divine. [Here the People began to cry out Shame on *Larimore*.]

*L. C. B.* ſaid to me, Sir, but if you were innocent of this Robbery, why did you refuſe to open your Doors, or to have your Houſe ſearch'd?

*Hawk.* My Lord, I had ſeveral Reaſons that moved me ſo to do.

1. In general, Moſt of thoſe Perſons that were preſent were my inveterate Enemies, and ſeveral of them had threatned to ruin me and my Family, and therefore I had Reaſon to ſuſpect that they came to injure me, either in my Poſſeſſion or Goods: For the firſt, Sir *John Croke* and *Larimore* had often threatned to pull down my Houſe, and for that end had hired ſeveral Perſons to make a forcible entry upon it; and particularly, they had lately hired *Jaires* the ſon of *Leonard Styres* of *Thame*, in the County of *Oxon*, by a Ladder to climb up and come down my Chimney, and open my Doors when we were all abroad: And about the ſame time they alſo contracted with one *Chriſtopher Tyler* of *Chilton* for the ſame Purpoſe. And 2. I feared the ſeizing of my Goods by the ſaid Perſons, becauſe they had then a Writ of *Levari* or Execution to ſeize them, which *Larimore*'s Son had a few Days before in part executed, and he was then preſent. And if theſe Reaſons are not ſufficient, I have more to juſtifie my Act, in refuſing to have them ſearch my Houſe, which

was

was all my Lord I ever denied, for I then declared my ſelf willing that Mr. *Sanders* the other Conſtable, he being then at the next Door, might charge whom he pleaſed, and ſearch as narrowly as he could.

*L. C. B.* Said, Mr. *Hawkins*, can you prove what you have ſaid?

*Hawk.* Yes, my Lord, which Particular ſhall I prove?

*L. C. B.* Prove that about the Ladder, if you can.

*Hawk.* I pray my Lord, call *John Acreman:* He being called, did fully juſtify what I ſaid concerning their intended forcible Entry, and added farther, that he did help to ſet up the Ladder for that purpoſe, being called by Sir *John Croke*'s own Sons, they and *Larimore* ſtanding by all that time to watch. And touching the ſecond Particular, concerning the ſeizing of my Goods, Mr. Sheriff himſelf can juſtify, that they had then in their hands ſuch a Writ: my Lord he is in Court, if your Honour pleaſe to call him.

And for the 3d Particular, that I ſhewed my ſelf willing that Mr. *Sanders* ſhould ſearch, I can prove, my Lord, by theſe Witneſſes following, *viz. Michael Reed*, Gent. Mr. *Thomas Sanders*, Mr. *Henry Golder*, *Robert Caſemore*, Mr. *Charles Wilcox*, and ſeveral others that were preſent. My Lord Chief Baron hearing theſe Reaſons fully proved, commended my Diſcretion, in not opening my Doors; and he added farther, that he ſhould have done as much himſelf, ſaying it was a foul Buſineſs, and the Judge (then looking towards Sir *John Croke* with an angry Countenance,) ſaid to me, Sir, is this Sir *John Croke* concerned in this Buſineſs?

*Hawk.* If it may pleaſe your Honour my Lord, with Permiſſion, I ſuppoſe that Sir *John Croke* is deeply concerned in this Conſpiracy, and I doubt not but to make it appear to the World, if I may be heard.

*L. C. B.* You need not fear that, for you ſhall have time, go on.

*Hawk.* I humbly thank your Honour; and I crave leave to call two Witneſſes, *viz.* Mr *Charles Wilcox*, and Mr *Samuel Browne*; both theſe being called, Mr. *Wilcox* ſaid, If it may pleaſe your Honour, my Lord, upon *Friday* the 18th of *September* 1668. I was at *Larimore*'s houſe in *Chilton*, from Noon till it was near Night, with *Larimore*, a driving of ſome Bargain about Tyles, and other things; and, my Lord, Mr. *Hawkins* was not at *Larimore*'s Houſe all that Afternoon, nor did I hear any thing at all then that *Larimore* was robb'd, which, my Lord, I muſt needs have done, if he had been robbed that Afternoon, for I was there.

*L. C. B.* At what time came you to *Larimore*'s Houſe, Mr. *Wilcox?* take heed what you ſay.

*Wilcox.* Before Noon my Lord.

*L. C. B.* Mr. *Wilcox*, how long did you ſtay there?

Mr. *Wilcox.* Until it was near Night my Lord.

*L. C. B.* Was *Larimore* with you all that time?

Mr. *Wilcox.* Yes, my Lord, for we were about to bargain for ſome Tyles, and other things.

*L. C. B.* Are you ſure that it was upon the 18th of *September*, that you was at *Larimore*'s Houſe?

Mr. *Wilcox.* I am ſure, my Lord, that it was upon the 18th of *September* that I was there, and the Day before Mr. *Hawkins*'s Houſe was broke open.

*L. C. B.* What Day of the Week was it upon?

Mr. *Wilcox.* It was upon a *Friday* my Lord, and Mr. *Hawkins*'s Houſe was broken open on the next Day, it being *Saturday*.

*Lar.* It was upon *Thurſday*, my Lord, that Mr. *Wilcox* was at my Houſe; it was not upon that day that my Houſe was robb'd, but the Day before.

Sir *Ralph Verney* replied, No, no, *Larimore*, it could not be on the *Thurſday*, that

that Mr. *Wilcox* and you were together at your Houſe, for that was the 17th Day of *September*, and that was the day you was buſied in fetching your Warrant from Sir *Richard Pigott*.

*L. C. B.* It is well obſerved Sir, and ſo he was, and therefore it could not be on the *Thurſday* that Mr. *Wilcox* was with him at his Houſe.

Sir *Richard Pigott* replied, I am ſure, my Lord, that *Larimore*, and that Fellow the Conſtable were both at my Houſe upon the 17th of *September*, as my Warrant teſtifieth.

*L. C. B.* At what time was it, Mr. *Wilcox*, when you came that Day from *Larimore*'s Houſe?

Mr. *Wilcox*. It was about Sun-ſet, my Lord, for it was dark by that time I got to my Houſe at *Crendon*.

*L. C. B.* How far is it from your Houſe at *Crendon*, to *Larimore*'s Houſe?

Mr. *Wilcox*. It is about a Mile and half, my Lord.

*L. C. B.* Were not the ways bad at that time?

Mr. *Wilcox*, No my Lord, the ways were very Good.

*L. C. B.* Did not you ſtop, or ſtay, or meet with ſome Body by the way that might hinder you?

Mr. *Wilcox*. No, my Lord, I went a good pace, it being near Night, my Lord, I was afraid of being benighted, and yet it was dark by that time I got home.

*L. C. B.* You that are of the Jury, do you know this Mr. *Wilcox*, of what credit is he?

*Jury*. We have known him a long time, and we know no harm by him.

*L. C. B.* He looks with an honeſt face; and you *Larimore*, do you know what that honeſt Man, Mr. *Wilcox* ſays? do you know him, and did you ever ſee him at your Houſe?

*Lar.* Yes, my Lord, I know him well.

*L. C. B. Larimore* do not you remember that he was at your Houſe upon *Friday* the 18th of *September*, 1668.

*Larimore* replyed, No, my Lord, ſure it was not upon that Day that I was robbed.

My L. C. B. *Hale* replyed, *Larimore*, no, in my Conſcience thou ſay'ſt well, for it ſeems you were not robbed upon the ſame day, that you have ſworn you ſaw the Priſoner at the Bar commit this Robbery.

*Hawk.* My Lord, or upon any other Day, as I do verily believe.

And here many of the People cryed out, that they believed as much.

*L. C. B.* If that Man, Mr. *Wilcox*, ſpeaks true, then all is falſe that *Larimore*, his Son, and Siſter have ſworn, *&c.*

Come Mr. *Hawkins* ſaid my Lord Chief Baron, have you any more to ſay?

*Hawk.* I have one Witneſs more, that I deſire may be called, *viz.* Mr. *Samuel Browne.*

*L. C. B.* Yes, yes, call him, come Mr. *Browne*, what can you ſay?

Mr. *Browne* ſaid, my Lord, I can ſay ſomething, but I dare not ſpeak.

*L. C. B.* Why dare you not? Come, ſpeak the truth; and ſpare not, and ſay no more.

Mr. *Brown* ſaid, I dare not ſpeak, for Sir *John Croke*, and this *Larimore* have threatned me, that if I came down to this Aſſizes, to teſtify what I heard about this Plot, Sir *John Croke* ſaid he would fling me in the Gaol, and load me with Action upon Action of a 1000 *l.* and ruine me and my Family.

When the Judge and the Juſtices heard Mr. *Brown* relate this, every eye began to be fixt upon Sir *John Croke*, and the People aſked which was that Sir *John Croke?* Then my Lord Chief Baron *Hale* commanded the Clerk of

the Aſſizes to give Mr. *Browne* a Writ of Privilege, to protect him home again: which being immediately done in Court, my L. C. B. ſaid, come Mr. *Browne*, let us now hear what you can ſay to this Buſineſs?

Mr. *Brown* ſaid; If it may pleaſe your Honour, my Lord, upon *Wedneſday*, the 16th of *September*, laſt paſt, early in the Morning, as I lay in my Bed at Sir *John Croke*'s Houſe in *Chilton*, hearing a great noiſe, (I being then entruſted by Sir *John Lentall*, as Keeper to Sir *John Croke*, which is a Priſoner at the King's Bench,) I fearing that they were contriving ſome way for him to eſcape, I ſtarted ſuddenly out of bed, having nothing on but my Shirt, and ſtood at the Dining Room Door behind the Hangings, and then my Lord, I heard this *Larimore* tell Sir *John Croke* that he had undone him, by cauſing him to contend with the Parſon. Sir *John Croke* aſked him why? *Larimore* replyed, becauſe this *Hawkins* will undo me, for he hath entred me into moſt Courts of *England*, and ſummoned me into the Crown Office and Chancery, and I cannot maintain ſo many Suits. Sir *John Croke* replyed, is that all? Come Brother *Larimore*, be contented, we will have one Trick more for *Hawkins* yet which ſhall do his work. *Larimore* replyed, Sir *John* you have put me upon too many Tricks already, more than I can manage, and the Parſon is too hard for us ſtill. Sir *John* replyed, If thou wilt but Act, I will Hatch enough to hang *Hawkins*. *Larimore* replyed, but how ſhall we bring this to paſs? Sir *John Croke* made anſwer, canſt not thou convey ſome Gold or Silver into Mr. *Hawkins*'s Houſe, and have a Warrant ready to ſearch his Houſe, and then our Work is done. *Larimore* replyed, Sir, if we could but bring this to paſs, it might do well, but I know not how. Sir *John Croke* ſaid to *Larimore*, do you but go to Sir *Richard Pigott*, and inform him, that you have loſt ſome Money and Goods, and deſire his Warrant to ſearch for them, which Sir *Richard* neither can nor will deny you, and then take *Dick Mayne* the Conſtable, who is one of us, and will do whatever we deſire of him, and go and ſearch Mr. *Hawkins*'s Houſe, and there you will find theſe things; and then charge him with flat Felony, and force him before me and no other Juſtice, and I'll ſend him to the Gaol without Bail, and we will hang him at the next Aſſizes. Come, ſaid Sir *John Croke*, Brother *Larimore*, let us go and drink our Mornings Draught, and we will conſult more about this Buſineſs. And ſo, my Lord, I heard no more for that time. But——

*L. C. B.* That was enough, and too much too; but however Mr. *Browne* go on.

Mr. *Browne*. So upon *Saturday* next, being the 19th of *Sept.* 1668. I having been abroad, and towards Night, coming up the Town, I was informed that Mr. *Hawkins*, as *Larimore* pretended had robbed him: I then began to think more ſeriouſly upon what I heard paſs the *Wedneſday* before, between Sir *John Croke* and this *Larimore*, and coming to Sir *John*'s Houſe, I ſaw a Paper lying upon the Hall Table full of writing, and *Larimore*, with the Conſtable, and ſeveral others, had brought Mr. *Hawkins* before Sir *John Croke*; who committing Mr. *Hawkins* for robbing *Larimore*, as he pretended, took up the ſaid Paper, , and read it to the Conſtable, and ſaid that it was Mr. *Hawkins*'s *Mittimus*, which ſaid *Mittimus* was written before Mr. *Hawkins* came to Sir *John Croke*, as all that were there can juſtify. And on *Sunday* Morning I went to an Alehouſe, where they had kept Mr. *Hawkins* all Night, and there I ſaw Mr. *Hawkins* go to the Goal, and then my Heart began to tremble, and yet I durſt not diſcover any thing of what I had heard; but coming home, I ſaid to Sir *John Croke*, Sir, what, they have carried the poor Parſon to the Gaol. Sir *John Croke* replyed, Yes, let him go, and the Devil go with him, and more ſhall follow after; have I not often told you, that if my Brother *Larimore* and I did

but lay our Heads together, none are able to ſtand againſt us? I replyed, yes Sir *John*, I have often heard you ſay ſo, but I never believed it until now.

*L. C. B.* Mr. *Browne*, Is all this true which you have related?

Mr. *Browne*. Yes, my Lord, all that I have ſaid is true, and there ſits Sir *John Croke*, pointing to him with his Finger, who knows that every word that I have ſaid is true.

*L. C. B.* If but ever a word that Mr. *Browne* ſays be true, it is as foul a Conſpiracy as ever was heard of.

About this time Sir *John Croke* ſtole away from the Bench, without taking his leave of my Lord Chief Baron, or any of the Juſtices.

My L. C. B. ſaid, is this Sir *John Croke* a Gentleman, and contrives ſuch Plots as this? I never in all my Days heard of the like: but I think once in this place, I met with one ſomething like it, but this far exceeds that, if this be true that Mr. *Browne* hath ſaid.

But you of this Jury, there is an honeſt Man, ſaid my Lord, pointing to Mr. *Wilcox*, he overthrows all; if that be true which he ſaid, then all that is falſe which *Larimore*, his Son, and Siſter have ſworn.

*Larimore* ſaid, my Lord, what I have ſworn as to Mr. *Hawkins* is true.

My L. C. B. replied, come, *Larimore* thou art a very Villain.

*Larimore* ſaid, I wiſh that the Ground may open and ſwallow me, if any thing that I have ſworn againſt Mr. *Hawkins* is falſe.

*L. C. B.* Replyed, come, come, *Larimore* thou art a very Villain, Nay, I think thou art a Devil.

*Hawk.* I hope your Honour, and this Jury, are by this time fully convinc'd that Sir *John Croke* is concerned in this Plot; for, my Lord, he hath appeared all along to be the Grand Contriver of it, as apears by Mr. *Browne*'s Teſtimony, and by what he ſaid to *Larimore* before me and others.

*L. C. B. Hales* Replyed, I am fully ſatisfied, and ſo I think are all that have heard it; And he ſaid to the Juſtices, Gentlemen, where is this Sir *John Croke*? They replyed, he is gone.

*L. C. B.* Is Sir *John Croke* gone? He ſaid, Gentlemen, I muſt not forget to acquaint you, for I thought that Sir *John Croke* had been here ſtill, that this Sir *John Croke* ſent me this Morning two Sugar-loaves for a Preſent, praying me to excuſe his abſence yeſterday: I did not then know ſo well as now, what he meant by them, but to ſave his Credit, I ſent his Sugar-loaves back again. Mr. *Harvey*, did you not ſend Sir *John* his Sugar-loaves back again?

*Clerk.* of the Aſſize. Yes (my Lord) they were ſent back again.

*L. C. B.* I cannot think that Sir *John Croke* believes that the King's Juſtices come into the Country to take Bribes, I rather think, that ſome other Perſon having a Deſign to put a trick upon him, ſent them in his Name. And ſo taking the Letter out of his boſom, ſhewing it to the Juſtices, ſaid, Gentlemen, do you know this Hand? To which ſome of them replyed, they believed it might be Sir *John Croke*'s own Hand, which Letter being compared with his *Mittimus*, for he had no Clerk, and ſome other of his Writings there, it plainly appeared to be his own Hand. So my L. C. B. ſeeing that, putting up the Letter again into his boſom, ſaid, he intended to carry that to *London*, and he added farther, that he would relate the foulneſs of the Buſineſs as he found occaſions fit for it.

*L. C. B.* Said, Mr. *Hawkins*, have you any more?

*Hawk.* My Lord, I hope that the Jury and your Lordſhip are fully ſatisfyed as to my Innocency; if ſo, my Lord, I have done; but if not, I humbly deſire to know wherein I have not given full Satisfaction; and if any thing elſe ſhall be alledged againſt me, I humbly crave time, and leave to anſwer it; for, my Lord,

I am

I am confident I can give a fuller Satisfaction, if what I have ſaid already be too ſhort.

*L. C. B.* You of the Jury what do you think? The Priſoner at the Bar deſires to know whether you are ſatisfyed as to the Indictment; if not, you may do well to declare wherein you are not ſatisfyed.

*Jury.* It is a very plain Caſe my Lord.

*L. C. B.* And I think ſo too, but it is a very foul one.

*L. C. B.* Said to me, Sir, have you any more?

*Hawk.* My Lord, I humbly thank your Honour, and the Court, for that great Patience, and Liberty I have had, and intend to ſay no more, but with *Quintilian* I conclude, *Innocentia melior eſt quàm Eloquentia*, Innocence is better than Eloquence.

*My Lord Chief Baron* Hale's *Directions to the Jury were to this Effect.*

*L. C. B.* Said, you that are of this Jury, the Priſoner at the Bar ſtands Indicted for robbing this *Larimore*; and you have heard at large both the Proſecutor's Evidence to prove him guilty, which if you do believe, I never heard a fuller: And 2. You have alſo heard the Priſoner's Defence, wherein, as I think, he hath as fully anſwered the ſame Charge: I ſhall Firſt, repeat the Evidence againſt him, which conſiſts of two branches; the firſt is the Proſecutor's Proof of this Indictment; and Secondly, his charging him with other Crimes of the like nature, as the ſtealing of *Chilton*'s Boots, and the picking of *Noble*'s Pocket.

*Firſt*, For to prove him guilty of Robbing him, he obſerves this Method.

*Firſt*, He himſelf ſwears that he ſaw the Priſoner at the Bar commit the Robbery.

*Secondly*, His Son and Siſter ſwear that they ſaw him run out of the Houſe at the ſame time.

*Thirdly*, He brings in four or five Perſons that ſwear the Gold Ring, and the Five-ſhilling Piece were found in the Houſe of him that is now the Priſoner at the Bar.

*Fourthly*, and *Laſtly*, He proves by two Witneſſes, that the Gold Ring and Five-ſhilling Piece was pawned to him.

And for the Firſt of theſe, *Larimore* ſwears that upon *Friday* the 18th of *September* laſt paſt, he lock'd his Doors between twelve and one of the clock at Noon, and went out, leaving no body at home, to pluck Hemp, about two Furlongs from his Houſe, where he ſtaid with the reſt of his Family till within an Hour and half of Sun-ſet, at which time, he coming home, found his Doors open, and ran up into his Chamber, and there through the chinks of the Loft-boards, he ſwears that he ſaw the Priſoner, now at the Bar, ranſacking and rifling of a Box, in the which was at that time a Holland Apron, and a Purſe, in which Purſe were two Gold Rings, two Pieces of Gold, and 19 *s.* in Silver; all which ſaid Rings, Gold, and Silver, with the ſaid Apron, he ſwears that he did ſee the Priſoner now at the Bar, turn out of the ſaid Purſe, take, and feloniouſly carry away, except one Piece or two of the Silver, and ſhews the very Purſe out of which he ſaw him take them. If you compare the Evidence with the Indictment, you may ſee the Policy of the Proſecutor; for he would gladly ſeem a moderate Proſecutor, by Indicting him for Felony only; as the ſtealing of Rings and Money, *&c.* But by his Evidence, he would as gladly charge him with Burglary alſo, for he ſwears he broke open or pick'd the Locks of his Doors, and Box, which by Law is the ſame.

And

And *Secondly*, To corroborate this his Evidence, he brings in two Witneſſes more, *viz.* his Son, and Siſter *Beamſly*, and they ſwear that they did at the ſame time ſee the Priſoner, that is now at the Bar, run out of *Larimore*'s Houſe, with a great Bunch of Keys in his Hand, and he hid himſelf amongſt Beans and Weeds: And note the Keys, to intimate that by the help of thoſe he pick'd *Larimore*'s Locks.

*Thirdly*. He brings in his Son, *Dodſworth Croke*, the Conſtable, and Tything-Man, which all ſwear that they found this Gold Ring and five Shilling Piece of Silver in a Baſket hanging upon a Pin, in the Houſe of the Priſoner at the Bar, with a few Eggs, which the Priſoner at the Bar the Day before had ſtol'n from him.

And *Fourthly* and *Laſtly*, He brings in one of Sir *John Croke*'s Sons, and Mr. *Good*, who ſwear that the one pawn'd the Ring, and the other the five Shilling Piece to *Larimore*.

Thus *Larimore* ſwears he ſaw the Priſoner rob him, his Son and Siſter ſwear that they ſaw him run out of the Houſe, the ſame time four more ſwear that they found the Ring and five Shilling Piece in his Houſe upon ſearch. And *Laſtly*, Two ſwear that the Ring and five Shilling Piece was pawned to him. If all this be true, he muſt needs be guilty, and if ſo, altho' I have a great Reſpect for his Calling, yet that ſhall no ways excuſe him, but rather aggravate his Crime.

And thus much touching the Indictment.

And *Secondly*, He ſeems to charge him with other Acts of the like Nature: as,

1. He brings in one *Chilton* to ſwear that the Priſoner at the Bar did ſteal a pair of Boots from him, and four or five Perſons ſwear that they did hear *Chilton* ſay he did.

2. He brings one *Boyce* from *London*, a Perſon, I think, of no great Credit, he ſwears that he ſaw the Priſoner at the Bar, about two Years ago, have his Hand in the Pocket of one *James Noble*, and that *Noble* ſaid that he loſt a Gold Ring and piece of Gold at the ſame time. This, if true, would render the Priſoner now at the Bar obnoxious to any Jury.—Thus far the Evidence againſt the Priſoner at the Bar.

Now we come to the Priſoner's Defence, which, becauſe it is ſo full, I ſhall be the briefer in it. The Parts of his Defence were two, as himſelf obſerved.

1. He ſhews how improbable it is.

And 2. How impoſſible that he ſhould be guilty of this Charge.

*Firſt*, That it is not likely that *Larimore* was robbed at all, becauſe he did not declare it to any of his Neighbours as ſoon as he ſaw the Robbery committed. Again, he varies as to the time when it was done, for that he told his Brother *Beamſly* that he had loſt the Ring and five Shilling Piece before there was any Difference between him and the Priſoner at the Bar, as appears by Mr. *Willcox*, and that Difference began in *Michaelmas* Term, 1667. And before Sir *John Croke* he confeſſed that he had loſt this a Month before the Priſoner (*viz.* Mr. *Hawkins*) was committed, which muſt be about the 19th of *Auguſt*, 1668. and in Court he ſwears that he ſaw the Priſoner at the Bar rob him of the ſame Gold Ring and five Shilling Piece of Silver upon *Friday* the 18th of *September*, 1668. an Hour and half before Sun-ſet; all this cannot be true. And for the Warrant, that bears date a Day before the Robbery was committed. [Whereupon the Judge ſaid to *Larimore:* Come, thou art a cunning Fellow, for thou went'ſt to Sir *Richard Pigott* for a Warrant upon the 17th Day, and was not robb'd until the 18th Day; *Larimore* thou kneweſt,

it ſeems, upon the 17th Day that thou ſhould'ſt be robbed on the 18th Day, and that the Priſoner now at the Bar ſhould rob thee; ſurely thou canſt divine, if all this be true.] Again: Is it likely, that when the Priſoner at the Bar was charged with flat Felony at his own Doors, the Conſtable likewiſe threatning to break open his Houſe to ſearch, if he had been guilty, his Wife and himſelf, having the Opportunity of going abroad after they had ſo charged him, while they were gone to conſult with Sir *John Croke*, as the Priſoner at the Bar ſufficiently proved, they did by the Teſtimony of ſeveral Witneſſes, (as Mr. *Reed*, Mr. *Sanders*, and others) that in all that time he would not have made his Eſcape, or at leaſt found a more convenient Place to convey a Ring and five Shilling Piece, than to let it remain all that time in a little Baſket, with a few Eggs, hanging on a Pin? Again: Who came firſt into the Room where this Egg-Baſket hung? why *Larimore:* And who took down the Baſket? *Larimore:* Who turned out the Eggs? *Larimore:* And who had the dreſſing of the Eggs? *Larimore.* He is a ſpecial Cook. You Gentlemen of the Jury, it is an eaſie thing for *Larimore* to juggle a Ring and five Shilling Piece into a Baſket, he being the firſt that came into the Room, as he put up his Hand to take down the Baſket he might with eaſe enough convey ſuch things as thoſe were into it. All this, and many more, are probable Circumſtances to move you and me to believe, that it is not probable that the Priſoner at the Bar is guilty of this Robbery; but that I muſt leave to you to conſider of.

Again: The Priſoner at the Bar proves the whole Buſineſs to be but a mere Contrivance of Sir *John Croke*'s and this *Larimore*'s, on purpoſe to ruin him, as is fully made manifeſt by the Teſtimony of Mr. *Browne*, who juſtifies that upon *Wedneſday* the 16th of *September* laſt paſt, and but two Days before this pretended Robbery, he heard Sir *John Croke* adviſe this *Larimore* to fetch a Warrant to ſearch the Houſe of the Priſoner at the Bar, and then to convey Gold and Silver into it; which having done, charge him with flat Felony, and bring him before the ſaid Sir *John Croke*, and no other Juſtice, he then promiſing to the ſaid *Larimore* to commit him to Goal without Bail, and hang him at the next Aſſizes, which is now; and, as I take it, they do aim at it. You of this Jury, if you do believe what Mr. *Browne* ſaith, it is as foul a Conſpiracy as ever was heard of. And I am apt to think it may be probable, becauſe that Sir *John Croke* and *Larimore* did threaten to caſt this Mr. *Browne* into Priſon, and ſo ruin him, if he came down and teſtifyed his Knowledge about this Buſineſs, which thing is of a very ill Conſequence. Again: It ſeems likely that Mr. *Browne* may be credited, if you compare their Actions with the Times, for upon *Tueſday* Sir *John* arreſted the Priſoner upon a feign'd Action of an hundred Pound; upon *Wedneſday* the Plot was concluded upon by Sir *John Croke* and *Larimore*, as may appear by Mr. *Browne*'s Teſtimony; on *Thurſday* they procured of Sir *Richard Pigott* the Warrant to ſearch; on *Friday Larimore* pretends that he was robbed, tho' in truth there appears no ſuch thing; upon *Saturday* the Priſoner's Houſe was broke open, and he apprehended; and upon *Sunday* he was carryed to the Goal; it was a good Weeks Work. But there is an honeſt Man [ſaid my Lord Chief Baron, pointing at Mr. *Willcox*] he knocks down all, for he juſtifies that he came to *Larimore*'s Houſe upon *Friday* the 18th of *September* laſt paſt, (it being the ſame Day that he ſwears he ſaw the Priſoner at the Bar robbing him, an Hour and an half before Sunſet) and there continued till it was near Night; and he farther ſaith, that *Larimore* was with him all that Afternoon; and he ſaid that *Larimore* was not robbed that Afternoon, nor was Mr. *Hawkins* there at that time. If this that Mr. *Willcox* ſaith be true, then all that *Larimore*, his Son, and Siſter hath ſworn, muſt needs be falſe.

And as touching the Boots, *Chilton* ſwears that he had legg'd a pair of Boots for the Priſoner at the Bar, and laid them in his Shop-Window, for him to take along with him as he went by; which he did, and paid him for his Work; and yet this *Larimore*, Sir *John Croke*, *Croxſtone*, and others, did uſe their utmoſt Endeavours to ſtir up this *Chilton* to indict the Priſoner at the Bar for ſtealing of them, *Croxſtone* promiſing to bear him out in it. This can argue nothing elſe but Malice in thoſe Perſons. And for that which *Boyce* ſwears, is a Story that can argue nothing elſe; for neither is *Noble* here to proſecute, nor can *Boyce* ſwear that the Priſoner at the Bar did pick his Pocket, or that *Noble* ever ſaid he did.

Thus I have repeated the Evidence to prove him guilty, and have not, I think, omitted any thing in it that is material; which, if you do believe, he muſt needs be guilty: And alſo the Priſoners Defence, which, I think, is ſufficient. It is a plain Caſe, and I ſuppoſe you need not go from the Bar; but that I leave to you.

And ſo the Jury not ſtirring from the Bar, which the Clerk obſerving, he called the Jury, who ſeverally anſwered to their Names; which being done, the Clerk of the Arraigns aſked whether they were all agreed upon their Verdict.

*Jury.* Yes, we are all agreed.

*Clerk.* Who ſhall ſpeak for you?

*Jury.* Our Fore-Man.

*Clerk. Robert Hawkins*, hold up thy Hand: [Which I did.] Jury look upon the Priſoner at the Bar, how ſay you? Is he guilty of the Felony whereof he ſtands indicted, or not guilty?

*Foreman of the Jury* ſaid, Not guilty, my Lord.

*L. C. B. Hale* ſaid to the Jury, You have found like honeſt Men; I do believe that he is not guilty. And he ſaid to *Larimore*, Thou art a very Villain.

*Jaylor* ſaid, Is Mr. *Hawkins*, my Lord, diſcharg'd of his Impriſonment.

*L. C. B.* replied, Yes, yes, he is diſcharged, paying his Fees.

*Hawk.* May it pleaſe your Honour, my Lord, I am poor, and this, with other Troubles which they have unjuſtly occaſioned, hath coſt me a great deal of Money already.

*L. C. B.* I cannot help that, nor can I give away other Mens Rights, if they will not remit their Fees, you muſt pay them.

*Hawk.* I humbly thank your Honour, and ſhall obſerve your Lordſhip's Commands.

And ſo the the Court aroſe, there being no other Buſineſs (but my Trial) the whole Morning, which laſted from eight until one. So as ſoon as my Trial was over, Sir *John Croke*, *Larimore*, and the reſt of that Crew, fled privately out of *Aliſbury*, and durſt not ſtay.

Thus I have, as briefly as poſſibly I could, run over my Trial, and for the Truth of it I dare appeal to all that heard it, which were hundreds, who can juſtifie that I have given a juſt and faithful Account of it.

This Conſpiracy may put us in mind to pray with our Mother the Church of *England* in her Litany.

*From all Privy Conſpiracy and Rebellion, Good Lord deliver us.* Amen.

And

And with her I am bound to give Thanks and ſay always,

O *Almighty God, who art a ſtrong Tower of Defence unto thy Servant, againſt the Face of his Enemies; I yield thee Praiſe and Thankſgiving for my Deliverance from theſe great and apparent Dangers, wherewith I was compaſſed; I acknowledge it to be thy Goodneſs, that I was not delivered over as a Prey unto them; beſeeching thee ſtill to continue ſuch thy Mercies towards me, that all the World may know that thou art my Saviour and mighty Deliverer, through Jeſus Chriſt our Lord.* Amen

Pſalm 21. 11. *For they imagined ſuch a device, as they were not able to perform.*

Pſalm 37. 6. *He hath made my righteouſneſs as clear as the light, and my juſt dealing, as the noon-day.*

Pſalm 103. 1. *Praiſe the Lord, O my ſoul, and all that is within me, praiſe his holy name.*

Verſe 2. *Praiſe the Lord, O my ſoul, and forget not all his benefits.*

Verſe 4. *Who hath ſaved thy life from deſtruction, and hath crowned me with mercy, and loving-kindneſs.*

Verſe 20. O *praiſe the Lord, all ye Angels of his.*

Verſe 21. O *praiſe the Lord, all ye his Servants, that do his pleaſure.*

Verſe 22. O *ſpeak good of the Lord all ye Works of his.*

Pſalm 104. 35. *In all places of his dominion, praiſe thou the Lord, O my ſoul, praiſe the Lord.*

1 Kings 1. 34, 39. *God ſave the King.* Amen.

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*F I N I S.*

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# THE CASE

Of Col: *Richard Thornhill*, ſhowing the true Occaſion of his Fighting Sir. *Cholmley Deering* Bar. and Knight of the Shire for the County of Kent in the preſent Parliament; whom he Kill'd in a Duel in *Tuttle Fields* on *Wedneſday* the 9th of *May* 1711. Written with his own Hand under Confinement, at the Gate-Houſe, and inſcribed to a Member of *Parliament*.

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*Honoured Sir.*

BEING Senſible that my Misfortunes of being kept under cloſe Confinement at the Gate-Houſe, are not unknown to you, I preſume to trouble you with theſe few Lines, which are to acquaint you of the true Occaſion which incited me to be ſo highly inflam'd with Paſſion, that nothing could allay the prodigious Fury thereof, but the violent Action of Killing an Honourable Gentleman, whom till then I more intirely loved above all Men upon Earth.

I muſt acknowledge I have committed a Crime, which if it could be undone again, but to my exceeding great Sorrow it is as impoſſible as vain to wiſh it, I ſhould willingly Sacrifice the very laſt Drop of my Blood to retrieve that which my unfortunate Hand ſo raſhly Shedded. 'Tis true, no greater Friendſhip, and truer, could be ever profeſs'd betwixt any two Perſons than was viſible Show'd between Sir *Cholmley Deering* and me, therefore as he did offer ſome Indignity about ſix Weeks ago to me in *Kent* yet the Reſpect I bore him, made me not ſo much a Beaſt as to be Govern'd by Paſſion, but joyfully to renew our old Friendſhip, by paſſing over what I reſented' in a Friendly Reconciliation, which I now wiſh (but too too late) had been eternal. But very lately, it being my Misfortune to be drinking with the Deceaſed, at Hampton-Court, till the intoxicating *Fumes* of Wine had baniſht Senſe and Reaſon quite from us, it being my Inclination to ſpeak Slightingly of a Lord, whom Sir. *Cholmley* reſpected, his Veneration for the Perſon talk'd of, provoked him not only to throw a Glaſs of Wine in my Face, but alſo to ſecond his ill Uſage with ſtreiking me in the Face with a Bottle.

Now receving ſuch Violence from a Friend in the Company of ſeveral worthy Gentlemen, I came ſtrait to Town, where reflecting that his ill Uſage (which was the firſt Violation of Friendſhip) could not be mitigated without great Blemiſh to Honour, ſo implacable was my Wrath, that though Sir *Cholmley*, when Senſible of the Affront he had offer'd me, was ready to make an Acknowledgment of his Error, yet my revengefull Soul would not be pacified without making him an Oblation to my furious Reſentments. With Horror and Amaze do I always think on the Ninth of *May*, when Sir. *Cholmley* and I taking a Hackney Coach, which was diſcharg'd at *Tuttle Fields*, where after our imbracing each other, my Piſtol mortally wounded that Gentleman, whoſe untimely Death I much more now lament, than ever in Rage I Sought it.

Alas What Stupefction ſiez'd my troubled Spirit, when I ſaw my beſt of Friends to drop. What Grief diſturb'd my Soul to ſee the dear Lady ſhed Showers of Tears ore that dying Gentleman, who ſhortly deſign'd to have made her happy by Marriage. What Anguiſh rack'd my cruel Heart, when his dear Children ſorely wept to receive the Bleſſings of their dying Father. What Terror pierced my Conſcience when I heard a Reverend Biſhop and Doctor *Smaldridge* put my deareſt of Friends, but juſt now in Health, in mind of his latter end. And above all, how afflicted was my very troubled mind and Soul, to think I ſhould be guilty of ſo much Barbarity, which deſtroy'd ſuch a worthy Gentleman who was ſo generous as to Pardon my Bloody Crime with his laſt Breath. Indeed (Sir,) theſe Sorrowfull Sences will be in the View of my Thoughts to the very laſt Moment of my Life; and if the Laws of my Countrey proſcribe me not worthy to ſurvive the Deceaſed, I ſhould not repine at my Fate, but in the mean time endeavour to make ſuch an Attonement with the Almighty, for my manifold Sins, though none ſo henious as this, which might grant me into that ineffable Bliſs, profeſs'd by my departed Friend, and where the Aſſaults of Death ſhould part us never more.

*Weſtminſter*, the 12th. of *May* 1711.

Yours ever to Command,
R. *Thornhill*.

LONDON: Printed by T. Janſon, in the Strand, 1711.

# THE CHURCH TRIUMPHANT;

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OR,

# An Emblem of the Seven Silver-Candlesticks:

Being the true Effigies of Dr. *Henry Sacheverell*, and his Six Learned Council that pleaded his Cause at *Westminster-Hall*, on his Tryal before the House of Lords and Commons, beginning *February* 27. 1710. With a Poem on the Lives and Characters of these worthy Advocates, and the Articles of Impeachment they defended against: Also a Character of the Church of *England*. Fit to be Stuck up in all Families, that are true Admirers of its Doctrines.

Amongst those Patriots, who the Church do Grace,
*Harcourt* most worthily deserves a Place:
Who to his Praise with Zeal and Eloquence,
Did Plead so Learnedly in her Defence.

*Phipps*, who before for Pleading was so Fam'd,
Shall now among her Patriots be Nam'd.

Let *Henchman*'s Name 'Mongst best Civilians found,
Be ever now with Praise eternal Crown'd.

Sir *Simon Harcourt*, Knight, formerly Attorney-General, his principal Council.

*Henry Dee*, Esq; Council at Law, and a zealous Defender of his Cause.

Had *Dee* for Fame, and Learning ne'er been known,
This Cause alone would all his Actions crown.

*Dee*, next deserves his worthy Name shou'd stand,
Amongst the greatest Lawyers of the Land.

Nor yet let *Huggins* want for due Applause,
Who did Solicit in so fam'd a Cause.

Around *Sacheverell* let 'em thus be set,
Each as his Guardian, and his Advocate.

## The ARTICLES of Impeachment, which Dr. SACHEVERELL's Learned Council pleaded against in his Defence.

ARTICLE I.

HE the said *Henry Sacheverell*, in the said Sermon preach'd at St. *Pauls*, doth suggest and maintain, That the necessary Means us'd to bring about the said happy Revolution, were odious and unjustifiable; that his late Majesty in his Declaration, disclaim'd the least Imputation of Resistance; and that to impute Resistance to the said Revolution is to cast black and odious Colours upon his late Majesty, and the said Revolution.

ART. II.

He the said *Henry Sacheverell*, in his said Sermon preach'd at St. *Pauls*, doth suggest and maintain, that the aforesaid Toleration granted by Law, is unreasonable, and the Allowance of it unwarrantable: and asserts, That he is a false Brother with relation to God's Religion, or the Church, who defends Toleration and Liberty of Conscience. That Q. *Elizabeth* was deluded by Archbishop *Grindal*, whom he scurrilously call a *false Son* of the Church, and a perfidious *Prelate* to the Toleration of the *Genevian* Discipline; and that it is the Duty of superior Pastors to thunder out their Ecclesiastical *Anathema's* against Persons entitled to the Benefit of the said Toleration, or violently dares, or denies any Power on Earth to reverse such Sentence &c.

ART. III.

He the said *Henry Sacheverell* in his said Sermon preach'd at St. *Pauls*, doth falsely and seditiously suggest and asserts, That the *Church of England* is in a Condition of great Peril and Adversity under Her Majesty's Administration; and to order to arraign and blacken the said Vote or Resolution of both Houses of Parliament, approv'd by Her Majesty aforesaid; he, in Opposition thereto, doth suggest the Church to be in Danger; and as a Parallel, mentions a Vote, That the Person of King *Charles* was voted to be out of Danger, at the same time that his Murderers were conspiring his Death; hereby wickedly and maliciously insinuating, that the Members of both Houses, who past the said Vote, were then conspiring the Ruin of the Church.

ART. IV.

He, the said *Henry Sacheverell*, in his Sermon and Books, doth falsly and maliciously suggest, That Her Majesty's Administration, both in Ecclesiastical and Civil Affairs, tends to the Destruction of the Constitution, and that there are Men of Characters and Stations in Church and State, who are *False Brethren*; and do themselves weaken, undermine, and betray; and do encourage and put it into the Power of others, who are profess'd Enemies, to over-turn and destroy the Constitution and Establishments, and chargeth Her Majesty, and those in Authority under Her, both in Church and State, with a general Male-Administration; and as a publick Incendiary, he perswades Her Majesty's Subjects to keep up a Distinction of Factions and Parties; infills groundless Jealousies, Animents destructive Divisions among them, and excites and stirs them to Arms and Violence; and that his said malicious and seditious Suggestions may make the stronger Impression upon the Minds of Her Majesty's Subjects: He the said *Henry Sacheverell* doth wickedly wrest and pervert divers Texts and Passages of Holy Scripture.

All which *Crimes* and *Misdemeanours* the Commons are ready to prove, not only by the general Scope of the said Sermons or Books, but likewise by several *Clauses* and *Sentences*, and *Expressions* in the said Sermons or Books contained; and that the said *Henry Sacheverell*, by preaching the Sermons, and publishing the Books aforesaid, did abuse his Holy Function, and hath most grievously offended against the Peace of Her Majesty, Her Crown and *Dignity*, the Rights and Liberties of the Subjects, the Laws and Statutes of this Kingdom, and the Prosperity and good Government of the same. And the said *Commons*, by Protestation, saving themselves the Liberty of exhibiting at any time hereafter, any other Articles or Impeachment against the said *Henry Sacheverell*, and also of replying to his Answer of any of them; or of offering Proofs of all the Premises, or any of them, and of any other Articles or Impeachment that shall be exhibited by them, as the Case according to course of Parliament shall require do pray, that the said *Henry Sacheverell* may be put to answer to all and every the Premises: And And that such Proceedings, Examination, Tryal, Judgment, and exemplary Punishment may be thereupon had and executed, as is agreeable to Law and Justice.

*Constant. Phips*; Esq; Council at Law; A-warin strickly for the Church.

Dr. *Henchman*, a Civilian, very famous on this Occasion.

*Henry Sacheverell*, D. D. Impeach'd by the Parliament, *January* 1710. and Try'd before the House of Lords, which lasted from the 27th of *February*, to *Thursday*, *March* the 23d, when the House gave Sentance upon him, *viz.* That he should remain Suspended from Preaching for Three Years, and his two Sermons to be Burnt by the Hands of the Common Hangman; which Sentence he receiv'd on his Knees. The Sermons were burnt on *Monday*, *March* the 27th, 1710.

*Duncan Dee*, Esq; Council at Law, who learnedly defended the Doctor against the Articles.

*J. Huggins*, High Baliff of *Westmin.* his chief Solicitor on this Occasion.

LO! here *Sacheverell* in his Glory stands,
Who doth Command so many Hearts and Hands;
Pity that One, so much the *Church*'s Friend,
When he design'd most Good, shou'd most Offend,
Truth was his Aim, altho' Contempt he found;
But Saints e'er now have with Reproach been Crown,d;
And if he Suffer'd in a Righteous Cause,
Greater will be his Glory and Applause.

May the *Church* Flourish spight of all her Foes,
And Bless the Ashes whence this *Phenax* rose;
Against whose Altars, may Hell ne'er Assail,
Nor *Popish*, or *Fanatick* Tribe prevail,
And may she ne'er want those who dare Maintain
Her Truth, whilst *Atheism* and *Vice* unpunish'd Reign,
Nor hence forward when Danger e'er appears,
Against sound Doctrine ever shut her Ears.

*LONDON*: Printed and Sold by *J. Bradford*, at the *Bible* in *Fetter-Lane*, 1710.

A true Account of the Apprehending and Taking of

# Dr *HAMILTON*, a Diſſenting Parſon,

(Brother to Sir *David Hamilton* the Man-Mid-wife)

# and his Man,

**For barbarouſly DROWNING of one Mr. *HUNTER*, in the *Thames*, between *York* Stairs and the *Falcon*, on *Saturday* laſt, *April* the 28th, 1711. by throwing him over Board, and keeping him down with the Boat-hook, &c. only becauſe he ask'd him for a juſt Debt.**

**With his Examination before Sir *Charles Cox*, and commitment to the *Marſhalſea* in *Southwark*.**

THE aboveſaid Dr. *Hamilton* is a *North-Britain* by Birth, but contracting Debts in that Country, and eſpecially one of about two hundred Pounds with the aforeſaid Mr. *Hunter*, thought it neceſſary to leave *Scotland*, and if poſſible to raiſe his Fortune in *London*, as his Brother has done: In order to which he got to be a Teacher in a Meeting-houſe at *Limehouſe*, where he was lik'd on very well, as being a good Preacher; but being ſomething given to Pride, he muſt needs have the Meeting-houſe ornamented, which his Congregation obliged him in; yet that would ſatisfie his wreſtleſs Spirit, either larger Contributions. or ſomething elſe was wanted. In ſhort, he left them, and roving from one Meeting to another, and finding not that encouragement he aimed at, he made his application to the Biſhop of *London* for admittance into the holy Eſtabliſh'd Church; but his Lordſhip having heard of him before, and not thinking him fitly qualified, he rejected him. Whereupon he at laſt inſinuatued himſelf into a Congregation in *Alderſgate-ſtreet*, where he is highly Eſteem'd for his Sanctity. An inſtance of which we heve in the following diſmal Account.

Mr. *Hunter* aforeſaid, ſome years ago lending the ſaid Mr. *Hamilton* 200 *l.* upon Bond, and not hearing any thing from him as to the payment, came up to *London* to ſeek him out, but could no ways find him, till on *Saturday* laſt, *April* the 28*th*, taking Water at *York* Stairs he ſaw the Dr. juſt got into another Boat with his Man to attend him; Mr. *Hunter* thereupon order'd his Waterman to pull away after him towards the *Falcon* Stairs in *Southwark*, where he found the Dr. to be bound for, and coming up with him, ſaluted him friendly, and went into his Boat, diſmiſſiug his own; when asking the Dr. where he liv'd, he told him in *White-Hall*; at which Mr. *Hunter* queſtion'd him when or how he ſhould have the 200 Pound Bond paid off, if he liv'd there? But the Dr making a frivilous anſwer, and not promiſing any Time of Payment, high Words aroſe, and the Gentleman threatening to Arreſt him, *&c.* the Dr. bid his Man to throw Over-board, and he would ſtand by him in it, which after a long Scuffle the Fellow accompliſh'd, but it happen'd Mr. *Hunter* could ſwim a little, and with much ado got up to the Boat again, and laying his Hands on the ſide, and getting one of his Legs into it, the Dr. laid hold on him and ſearched his Pockets for the ſaid Bond (which Mr. *Hunter* had not about him) while the Docto'rs Man held his Head under Water, till he was e'en drowned; and then breaking his Fingers with the Boat-hook, to make him looſe his hold, and giving him ſeveral blows over the back with the ſaid Hook, they inhumanely puſh'd him under water and left him; making the Waterman row off with all haſt; but on Shoar at the *Falcon* Stairs were apprehended by the People that ſtood at the Stairs, and ſaw the Barbarity acted.

They were carry'd before the Honourable Sir *Charles Cox*, who finding they had little to ſay in their Defence, he committed them to the *Marſhalſea* Priſon in *Southwark*, in order to be Try'd for the ſame.

E 220 Keith pre Dans

# A full and True Account of a most horrid and barbarous Murder committed Yesterday, *April* 24th, in *St. James's-House*, by *Eliz. Smith*, upon the Body of her own Male Child, by running of a Penknife into its Heart, and thrusting it into a hole of the Cieling in a Garrat.

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With her Examination and Confession before the Worshipful Justice *Chambell* at *Whitehall*, and commitment to *Newgate*.

NOtwithstanding the daily Warnings given by Persons that have come to untimely Ends, for their Cruel Murders, &c. yet there still remains most unaccountable Wretches among us, who act worse than the Brute Beasts; a horrid Instance of which we have in the following true Relation.

*Elizabeth Smith* (a Maid-Servant to Mr. *Samuel Towers*, one of her Majesties Master Yeomens of the Wine-Cellar, and living in *St. James's House*) who not having the fear of God before her Eyes (tho' under the Roof of Justice and pure Chastity) play'd the Harlot, and was got with Child, but carry'd it so cunningly that she was not much suspected, till length of Time shew'd her baseness to some that mistrusted her to be with Child; and observing her to be very Ill last *Saturday*, and to keep her Bed, the Gentlewoman charg'd her with being with Child, and ask'd her whether she was Marry'd or not; and she answer'd, that she was not Marry'd nor with Child, she scorn'd her Words, and the like. Upon which the good Gentlewoman withdrew out of the Garrat where she lay, but not satisfied with her answer, believing her to be in Travail, by some Symptoms she saw in her, and her still continuing to keep her Bed; she thereupon Yesterday Morning, being the 24th of this Instant *April*, 1711, divulged her Opinion of the matter to others of the Court, and they agreed to send for a Midwife to her search her; who doing her Office, declar'd the said pretended Maid-Servant to be newly Deliver'd, tho' she utterly deny'd it, and impudently Reviled the Gentlewomen when they ask'd her what was become of the Child. In short, they sent for a Constable, and making a search about the Garrat, in an odd hole in the Cieling they found the poor innocent Babe, wrapt up in a Pettycoat of the inhumane Mothers, who with a Penknife had stabb'd it to the Heart, and they finding her well enough to go Abroad, carryed her before the Worshipful Justice *Chambel* at his House in *Whitehall*, where, upon due Examination, she confess'd the Fact, but would not directly declare the Father of the Child, but gave some hints as if a certain Gentleman was the Person, and the Officers of the Court are of the same Opinion, he having had several Bastards of late laid to his Charge. The Murder appearing plain, by her own confession, the Justice ordered her Mittimus to be made, and she was committed Yesterday the 24th Instant to *Newgate*, in order to be Try'd at the next ensuing Sessions.

Printed by *R. Newcomb*, in *Wine-Office-Court*, *fleet-street*, 1711.

*Where may be had the* London Gazette *printed in the Year* 1666; *giving an Account of the Tryals and Condemnation of* 8 *Fanaticks, for contriving the Burning of the City of* London.

# *The Substance of the Depositions taken at the Coroner's Inquest the 17th, 19th, and 21st of* November, *on the Body of Duke* Hamilton: *And the 15th, 18th, 20th, and 22d, on the Body of my Lord* Mohun.

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John Sisson, *Drawer at the* Rose-*Tavern, has Sworn,*

THAT on *Friday* Evening, ( *14th Novemb.* ) about Five a Clock, my Lord *Mohun* and another Gentleman were there. The Gentleman ask'd *Whether Stars and Blue Garters didn't use the House?* He answer'd, *Yes.* Then he ask'd him, *Whether Duke* Hamilton *didn't come there sometimes?* The Drawer answer'd, *Yes.* The Gentleman said he would be here in a short Time, and when he came, he should shew him into another Room. The Duke came soon after with another Gentleman, and ask'd for General *Mackartney*; who hearing his Grace ask for him, came immediately out to him; and the Duke and he went into a Room together. They bid the Drawer bring a Bottle of *French* Claret, and they Two drank Part of it: General *Mackartney* return'd to my Lord *Mohun*, and in about a Quarter of an Hour the Duke and the other Gentleman, who staid in another Room while the Duke and General *Mackartney* were together, went away.

John Reynolds *of* Price's *Lodge in the* Park, *Swore,*

THAT hearing of a Quarrel, he and one *Nicholson*, got Staves and ran to part them: That he, *Reynolds*, was within 30 or 40 Yards of Duke *Hamilton* and my Lord *Mohun* when they fell. That my Lord *Mohun* fell into the Ditch upon his Back, and Duke *Hamilton* fell near him, leaning over him. That the Two Seconds ran in to them; and immediately after them, this *John Reynolds*, who demanded the Seconds Swords, which they gave him, without any Resistance. He then wrested the Duke's Sword out of his Hand; and *Nicholson* took away my Lord *Mohun*'s, and gave it to *Reynolds*, who carried the Four Swords some Distance from the Parties: He return'd and help'd to lift Duke *Hamilton* up, who still lay on his Face. He got him up, and he walk'd about 30 Yards; they desir'd him to walk farther, and he said he could walk no farther. He was ask'd what became of their Swords, and he said, They had not been out of his Possession, from the time he took them out of the Parties Hands, till the Day they were brought to the Jury.

Joseph Nicholson, *Labourer, Swore,*

THAT *John Reynolds*, Drawer at *Price's* Lodge, came out of the House with Two Sticks, bid him throw by his Wheel-barrow, and take one of them, for he believed there was a Duel: They ran; and about the Distance of One Hundred and Ten Yards from the Gentlemen, they saw one there throw off his Cloak, and He and another draw their Swords; Two other Gentlemen drew their Swords at the same time; the Duke and Lord *Mohun* (whom he knew afterwards to be so) made violent Passes at each other, and then fell. He was ask'd if the other Two fought; he said, that they stood with their Swords pointed to each other, and mov'd towards each other, but did not see them Fight. As soon as the Lords were down, the Two Gentlemen ran to them, and were about Four Yards before *John Reynolds*, he being about Four Yards behind *John Reynolds*, by reason he fell when they first began to run. When *Reynolds* and *Nicholson* came in, one Second had hold of one Lord's Sword-Hand, and the other Second of the other, each of the Second's Swords being in their Right Hands. The Seconds delivered their Swords to *John Reynolds* without any Resistance, and desir'd *them to break or bend them*; they bent General *Mackartney*'s but could not the other, and then laid them by: *John Reynolds* took the Duke's, and *Nicholson* my Lord *Mohun*'s, who said he was wounded, and would deliver his Sword if the Duke would his; he likewise heard the Duke's Second say, *By G---d My Lord Duke's killed*; and the other said, *By G---d My Lord* Mohun's *killed*; the Former then said, *We've made a fine Mornings work on't.* Then General *Mackartney*, as he afterwards appeared to be, took this *Nicholson* by the Hand and said to him, *Honest Friend bear witness that we endeavoured to part them; and pray remember that I in the Grey Cloaths and Silver Lac'd Hat, tell you so.* When *Reynolds* had taken up My Lord Duke, *Nicholson* and General *Mackartney* endeavour'd to lift up My Lord *Mohun*. *Nicholson* said, I believe he's dead: *Mackartney* answer'd, *God forbid; perhaps his Bleeding Inwardly may make him sick, turn him on his Side that his Wound may bleed Outwards*; which was done: then General *Mackartney* desir'd he might be turn'd on his Belly, which was also done: *Nicholson*, My Lord's Footman, and others, help'd My Lord *Mohun* into the Coach by General *Mackartney*'s Direction. He was ask'd, how he knew they were Duke *Hamilton* and Lord *Mohun*? He answer'd; by hearing People say so: He was likewise ask'd, what became of the other Two Gentlemen? He answer'd; he could not tell.

John Pennington, *Hackney-Coachman, Swore,*

THat on *Saturday* Morning ( *Novemb.* 15. ) about Seven-a-Clock he was call'd from *Bow-street* in *Covent-Garden* to the *Bagnio* in *Long-Acre*, where he took up my Lord *Mohun* and another Gentleman. My Lord *Mohun* bid him drive to *Kensington*; but when he

he came near *Hide-Park*, he order'd him to drive in there: They were ſtopp'd at the Gate; but telling the Keeper they were going to *Price*'s Lodge, he let them in: My Lord then ask'd the Coachman, if he knew where they could get any thing that was good, it being a Cold Morning; he ſaid, at the Houſe near the Ring. When they came near the Houſe, they both got out of the Coach, and bid the Coachman get ſome Burnt-Wine at the Houſe, while they took a little Walk. He went into the Houſe, and told the Drawer he brought Two Gentlemen, who bid him get ſome Burnt-Wine againſt they came back; The Drawer ſaid he wou'd not, for very few came thither ſo ſoon in the Morning but to fight: The Coachman ſaid he believ'd they were very civil Gentlemen, but however he'd dog them. A Groom rode up to him and told him, there were two Gentlemen at his Coach who he ſuppos'd wanted him; he ran back and found D. *Hamilton* and another Gentleman there; the Duke ask'd him whom he brought? He anſwer'd, My Lord *Mohun* and another Gentleman: He ask'd him which Way they were gone? He ſhew'd them; and ran to the Houſe, telling the Man, that Duke *Hamilton* and a Gentleman follow'd my Lord *Mohun* and the t'other Gentleman, and that he fear'd they were going to fight; he deſir'd the Man to make all the haſte he cou'd, and bring any body he cou'd get with Staves to prevent them, for he fear'd there wou'd be Murder, and he'd run before. He got behind a Tree within 50 Yards of them, from whence he ſaw the Duke throw off his Cloak, and my Lord *Mohun* his Coat, and both drew their Swords, making violent Paſſes at each other; upon which they both fell, (he being then within 30 Yards of them.) He was ask'd *whether the two other Gentlemen drew their Swords, and how far they were from the Lords when they fell, and whether they fought or not?* He anſwer'd, they drew their Swords, but did not fight; and that they were ſome Yards diſtant from the Lords when they drew, and continu'd ſo till they fell: He was ask'd again *if the Seconds* fought? he anſwer'd, *They did not*, but ran to the Lords when they fell. Two Men, who follow'd him from the Houſe with Staves, were not more than four Yards behind the *Seconds*; which Two Men with the Staves, demanded their Swords, which they readily deliver'd. He being ask'd which of the Lords was uppermoſt? he ſaid *he cou'd not tell*; he then ran for his Coach; My Lord *Mohun*'s Footman and the Two Men put my Lord into this *Pennington*'s Coach; My Lord being almoſt dead, his Second bid him carry him to his Lodgings in *Marlbro'-ſtreet*; The Coachman ask'd him who muſt pay him? He ſaid the Footman: The Coachma took him by the Sleeve, and ſaid, He brought him as well as my Lord, and that he ſhou'd pay him: Then he gave him half a Crown: He was ask'd if he knew who that Gentleman was? He ſaid 'twas General *Mackartney*, the Footman having told him ſo as they were carrying my Lord *Mohun* to *Marlbro'-ſtreet*.

John Leſley, *Footman to Duke* Hamilton, *Swore*,

THAT the Duke ſent him to Col. *Hamilton*'s Lodgings, at the Golden Peruke at *Charing-Croſs*, to deſire him to get up and dreſs him, for his Lord wou'd come in his Coach and call him. Being return'd back, he found the Duke was juſt getting into his Coach; and he got up behind. The Duke then drove to the Colonel's Lodgings, and went up to him: Soon after they both came down together, got into the Coach, and bid 'em drive to *St. James*'s Houſe; but ſtopp'd the Coach at the Corner of *St. James*'s Square, where my Lord *Portland* lives, and the Footman coming down from behind the Coach, my Lord Duke gave him a Bunch of Keys out of his Pocket, and bid him go to ſuch a Cloſet, and bring his Mourning Sword: Which he did, and gave it into the Coach to Col. *Hamilton*; and Col. *Hamilton* gave his Sword out, and bid the Footman give it to the Boy behind the Coach. He then order'd the Coachman to drive to the upper End of *St. James*'s Street; when he came there, he bid them drive directly to *Kenſington*. And when they came into *Hyde-Park* the Duke went out of the Coach, in the Road that goes to *Kenſington*, over-againſt *Price*'s Lodge, and walk'd over the Graſs, and between the Two Ponds. When he went out of his Coach, he charg'd his Coachman, Footman, and Col *Hamilton*'s Boy, to go and ſtay at the Corner of the White Pales. The Footman thinking his Grace long, went towards the Place where he ſat them down, and there firſt met General *Mackartney*, walking towards *Kenſington*; and immediately after, he met Col. *Hamilton*, and asking him for his Lord, he told him, *This was the worſt Morning he ever ſaw, for he fear'd his Lord was mortally Wounded.* The Footman ask'd by whom, Col. *Hamilton* anſwer'd, *My Lord* Mohun. Then the Col. ask'd the Footman, *Where his Lord's Coach was*, he anſwer'd him, *Near the White Rails near* Kenſington. He deſir'd the Footman to walk faſt and ſhew him to it; accordingly they haſten'd to it. He was ask'd how far General *Mackartney* was before them, the Footman anſwer'd, *That he was in Sight, walking towards* Kenſington.

RICE WILLIAMS, Footman to My Lord *Mohun*, Swore to the ſame Effect, particularly, That he ſaw the Two Lords draw their Sword, puſhing at each other with great Violence, upon which they both immediately fell; that he then ran in and found his Lord almoſt dead: and that a Hackney Coachman, who was there, told him it was He who brought his Lord: General *Mackartney* bid them put him into a Coach, and carry him to his Houſe in *Marlborough-Street*; which they did.

WILLIAM MORRIS, Groom to Major-General *Gorge*, Swore, He was on Horſeback within Ten Yards of Duke *Hamilton* and the Lord *Mohun*, when they drew their Swords, and that he continued ſo during the Action, being ſo near that he heard them groan when they fell. The reſt of his Evidence is agreeable to that of the others.

ANDREW CLARK, Duke *Hamilton*'s Coachman Swore, That while he was ſtanding at the White Pales, he ſaw General *Mackartney* without a Sword walking by him; that he look'd hard at him, with his Arms folded, and a Small Cane hanging upon his Wriſt; that he walk'd out at the Park-Gate next *Kenſington*; and ſoon after came Col. *Hamilton*, who went into the Duke's Coach, and bid him drive through *Kenſington* to the *Gravel-Pits*, thence he drove to St. *Giles*'s, and from St. *Giles*'s to the *Roſe* at *Holborn-Bridge*, where he ſet him down.

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# THE PROCEEDINGS ON THE Queen's Commission of the Peace,

AND

*Oyer* and *Terminer*, and *Goal-Delivery* of *Newgate*, Held for the CITY of *London* and COUNTY of *Middlesex*, at *Justice-Hall* in the *OLD BAILEY*.

On *Wednesday*, *Thursday*, *Friday* and *Saturday*, being the 10th, 11th, 12th, and 13th Days of *December*, 1712. *In the Eleventh Year of Her* MAJESTY's *Reign.*

BEfore the Rt. Hon. Sir RICHARD HOARE, Knight, Lord Mayor of the City of *London*, the Rt. Hon. *Thomas* Lord *Trevor*, Lord Chief Justice of Her Majesty's Court of *Common-Pleas*, *Mr.* Justice *Powys*, *Mr.* Baron *Price*, and Sir *Peter King*, Knt. Recorder, with several of Her Majesty's Justices of the Peace for the City of *London*, and County of *Middlesex*.

*The Jurors were as followeth.*

| London Jury. | Middlesex Jury. |
|---|---|
| *John Bradford* | *John Mills* |
| *Edward Thay* | *William Pannet* |
| *Stafford Briscoe* | *William Munden* |
| *Thomas Mason* | *Francis Parker* |
| *John Morris* | *Henry Mulcaster* |
| *Nicholas Sharples* | *Charles Williams* |
| *John Henthall* | *Francis Jones* |
| *Edward Hilliard* | *Edward Boswell* |
| *Robert Gravener* | *James West* |
| *William Hart* | *Richard Newland* |
| *Edward Leman* | *Adam White* |
| *Henry Hilliard* | *Robert Lord* |

*The Proceedings were as followeth.*

**Elizabeth White**, alias **Wells**, alias **Dyer**, of the Parish of St. *Dunstan* in the *East*, was indicted for breaking the House of *Adam Hays* on the 23d of *October* last, and stealing a Leather Bag, 33 Broad-pieces of Gold call'd *Carolus's*, *Jacobus's*, and other Gold, and 141 Guineas, a Silver Tankard, valued 8 *l.* a Cup 3 *l.* and 100 *l.* in Money. The Prosecutor swore, that the Prisoner came in as a Servant the Day before; and he and his Wife being abroad, she went away with the Money and Goods, and upon pursuit was found, and the Bags, and most part of the Money recover'd. The Felony was very plainly prov'd, but the Jury thought fit to acquit her of the Burglary.

**Margaret Atkins** of the Parish of St. *Dunstan* in the *West*, was indicted for stealing 13 Pound of Coffee from *George Henshaw* on the first instant. Mr. *Henshaw* swore, that the Prisoner came into his Shop under pretence to buy some Aniseeds; and while he was weighing of them, he heard something rattle on the Floor; and coming to search her, found she had the Paper bag it was in, and some of the Coffee in her Apron, the rest being scatter'd on the Ground. She had Witnesses to her Reputation; one of whom was her Mistress, who said she had liv'd with her several Years, and been trusted with great Sums of Money, and always been very Honest: Which weighing much with the Jury, she was acquitted.

**Elizabeth Thompson**, alias **Winifred Thompson**, of the Parish of St. *Magnes* the *Martyr*, was indicted with one *Hannah Morgan*, for feloniously stealing a Silver Tankard, 7 Spoons, a Porringer, and other Plate, the Goods of *Edward Townshend*, on the 14th of *October* last. It appear'd by the Evidence, that she came as a Servant in her Sister *Winifred's* Name, and after 4 or 5 Days found means to carry off the Goods; and being taken 2 Days after, confess'd the Fact; but at her Trial she deny'd it, and said *Morgan* stole the Goods, and gave them to her. She had gone by her Reputation, and was an Offender before, so was found Guilty of Felony.

**John Wait** of the Parish of St. *Bridget*, alias *Brides*, was indicted for breaking the House of *John Baker*, on the 2d of *November* last in the Night-time, and stealing thence 2 Cloth Coats, a Wig, and other things, the Goods of *Thomas Blandford*. It was prov'd that the Goods were lost, and the Wig was found at one *Smith's* in *Middle Row* in *Holborn*, and prov'd to be Sold there by the Prisoner; who own'd the selling of it, but said, he (being a Perukemaker) bought it of another as he was going to Work. He had several Witnesses who gave him a good Character, and the Jury considering the matter, acquitted him.

**Thomas Finch** of the Parish of St. *Peter's Cornhill*, was indicted for stealing a 2 quart Pot, a quarts, and a Pint, from *Richard Treman*. The Evidence set forth, that the Prisoner and another Boy were seen in an Alley that goes up to the House, and the Prisoner had the Pots upon him, whereupon he was taken, but the other escap'd. He was found Guilty to the value of 10 *d.*

**Phebe Pickering**, alias **Spenser**, of the Parish of St. *James's Clerkenwell*, was indicted for stealing 4 Pewter Plates, and other Goods from *Edward Carter* on the 11th of *September* last. It appear'd by the Evidence, that she was a Capmaker, and work'd at the Prosecutor's House when the Goods were lost; and being taken upon Suspicion, part of them were found upon her, and some she confess'd she had sold to *John Dun* the Pawnbroker. The Prisoner had little to say for her self, only would have turn'd the Fact upon one of the Witnesses; but that not availing, she was found Guilty to the value of 10 *d.*

**James Aylwood** of the Parish of St. *Mary le Bow*, was indicted for privily stealing 77 yards of Printed Callicoe, out of the Shop of *Samuel* and *Joseph Harris*, on the 21st of *October* last. Mr. *Harris* depos'd, that being inform'd the Prisoner was seen to go out of his Shop with a Bundle, he was pursu'd and taken with the Goods near him. Another swore, that he saw him looking about the Shop-door, and and afterwards go in, and bring out the Callicoes, and drop them upon the pursuit. He pretended he was going of an Errand, and was stopt upon the Outcry by mistake; but that was look'd upon as frivolous, and the Evidence being very clear against him, he was found Guilty of Shoplifting.

**Paul Dolucet** of the Parish of St. *Sepulchres*, was indicted for stealing a Bay Stonehorse, valued 12 *l.* the Goods of *Thomas Wood* on the 14th of *November* last. The Prosecutor's Son swore, that his Father's Horse being left out of his Stable in *Essex*, he came to *London* the next Day, and found him in *Smithfield*; and the Prisoner upon his Back; whereupon being seiz'd, he confess'd it before Justice *Johnson*; but deny'd it upon his Trial, and said

Horſe was deliver'd to him at *Stratford*, and he was to have 5 *s.* for ſelling him. There was no Witneſs to prove any thing he ſaid, and the Evidence very poſitive againſt him, whereupon he was found Guilty of Horſe ſtealing.

**James Colwel** of the Pariſh of St. *Dunſtan* in the *Weſt*, was indicted for privately ſtealing a Leather Pocket-Caſe, with Notes in it, from *William Pool* on the 28th of *November* laſt. The Proſecutor ſwore, that coming along *Fleetſtreet*, the Priſoner juſtl'd him, and he felt his hand in his Pocket, and turning quick about, ſaw him give the Caſe to another, whereupon ſeizing the Priſoner, his Companion dropt the Caſe, which was taken up by a Woman, and the Proſecutor had it again. He had no Witneſs to his Reputation, and was found Guilty to the value of 10 *d.*

**Sarah Gideon** and **Anne Wood** of the Pariſh of St. *Mary Woolchurch*, were indicted for ſtealing Eight Shillings and Six Pence from *James Marriot* on the 27th of *November* laſt. Mr. *Marriot* depos'd, that the Priſoners came into his Shop to buy Two Half-pounds of Rice; and while *Wood* was buying; *Gideon* ſiſh'd the Money out of the Till with a piece of Whalebone and Birdlime; which he perceiving ſomething of, ſeiz'd her in the Fact, the Money and Whalebone being found upon her, and both clammy with the Birdlime. She had nothing to ſay in her Defence, but deny'd ſhe knew *Wood*, as *Wood* did alſo that ſhe knew her, and ſaid ſhe only went to buy the Rice; whereupon ſhe was acquitted, and *Gideon* found Guilty of Felony.

**John** and **Sarah Ridgway** of the Pariſh of St. *Mary Abchurch*, were indicted for privily ſtealing 11 Silk Handkerchiefs, the Goods of *Francis Drickill*, on the fifth inſtant. The Evidence depos'd, That the Priſoner came into the Shop pretending to buy, and found an Opportunity to ſteal the Handkerchiefs, which were found upon the Woman in the Shop. She ſaid in her Defence, that ſhe only had them in her Hands to meaſure them, and had not concealed them; and he ſaid he went into the Shop to look upon Cadis, and offer ſome to ſale, being a Cadis-Weaver, and that the Proſecutor would have made it up for 6 Pounds. They had ſome Witneſſes to their Reputation, but it being ſworn plain againſt the Woman, ſhe was found guilty to the value of 10 *d.* and the Man acquitted.

**John Shaw, Caleb Lockwood, John White, William Walker, Elizabeth Davis, Mary Ball,** and **Martha Williams,** were all indicted for ſtealing 49000 of Pins, value 40 Shillings, the Goods of *Richard Greening*, on the twenty fifth of *October* laſt. The Evidence ſet forth, That in the Evening aforeſaid, *Lockwood* and *White* came into the Shop, and the Goods were taken away, and found afterwards in a bad Houſe by a Conſtable, who ſuſpected there was ill People there. One of the Boys was found in Bed with two of the Women, and the other three Boys and one Woman were all in the Houſe, where was alſo Pewter and other Goods, ſuſpected to be ſtolen. The Evidence being plain againſt *Lockwood* and *White*, they were found guilty to the value of 10 *d.* and the reſt were acquitted.

**Thomas** and **Lucy Purchas,** of the Pariſh of St. *Vedaſt*, alias *Foſter*, were indicted for privately ſtealing 30 Sheets of Stampt Paper, out of the Pocket of *Edward Ebion*. The Proſecutor ſwore, That coming along with the Papers in his Pocket, he was aſſaulted by the Priſoner, and loſt them. The Priſoner ſaid in his Defence, that the Proſecutor aſſaulted him and his Wife, upon which he took him by the Collar, and then was charg'd with the Robbery. They had ſome Witneſſes to their Reputation, and upon the whole were acquitted.

**John Herring** of the Pariſh of *Allhallows the Great*, was indicted for ſtealing 216 Pounds weight of raw China Silk, value 216 Pounds, the Goods of *Ephraim Montagus*, out of the Warehouſe of *Jacob Jacobſon*, on the 20th of *November*, in the tenth Year of the Queen. The Proſecutor declar'd, that he was inform'd the Priſoner was taken up about Cocoa-Nuts, and had before Sir *Robert Beachcroft*, before whom he confeſs'd the Silk. The Priſoner acknowledg'd upon his Tryal, that one *Hacket* was concern'd with him, and that *Hacket* procur'd falſe Keys to ſeveral Warehouſes; but *Hacket* being Evidence againſt him, ſwore, that the Priſoner himſelf got the falſe Keys, and he had no Concern but in receiving part of the Goods. The matter being plain againſt him, he was found Guilty.

**Katharine Prieſt** of the Pariſh of St. *Vedaſt*, alias *Foſter*, was indicted for privily ſtealing four Piſtol-Barrels, out of the Pocket of *William Tiſdale*, on the 14th of *October* laſt. The Proſecutor ſwore, that as he was going home about 11 a Clock at Night, he ſaw the Priſoner ſcolding in a Crowd; that he got her off, and going along with her, ſhe wou'd give him a Pint of Wine, and in the Tavern pick'd the Barrels out of his Pocket. The Priſoner in her Defence own'd ſhe went to a Tavern with him at his deſire, and that he gave her the Goods in lieu of a Shilling, for ſomewhat that paſs'd between them, and when ſhe came to the Watch-houſe, the Conſtable gave her a Shilling, and ſhe deliver'd the Barrels. Upon the whole matter, the Jury found her Guilty of Felony.

**John Philips** of the Pariſh of St. *Sepulchres*, was indicted for ſtealing Five Ewe-ſheep valued Three Pounds five Shillings, the Goods of *John Hide*. It appear'd by the Evidence, that the Priſoner offer'd to ſell them at an under Price, and ſaid they were his own, and that the Proſecutor was his Uncle, and he having come away from him, was permitted to bring the Ewes with him. The Butcher who cheapned them ſuſpecting they were ſtole, ſent a Letter to Mr. *Hind*, who own'd the Goods, and declar'd he had never been his Servant, nor entruſted with them, whereupon he was found guilty of Felony.

**Charles Widows** of the Pariſh of St. *Martin Ludgate*, was indicted for privately ſtealing a Silk Handkerchief, value two Shillings, out of the Pocket of *Edward Wanſel*, on the 19th of *November* laſt. The Proſecutor ſwore, that as he was coming down *Ludgate-ſtreet*, four or five Fellows met him, and ſtopt him, and a Woman call'd out and told him his Pocket was pick'd by the tall Man; whereupon turning himſelf towards the Priſoner, he ran away, and was taken in *Black-friyars* with ſeveral Handkerchiefs in his Pocket, and was ſeen to throw ſome down in the Street. The Priſoner pretended he was going on board a Ship to get a Handkerchief of Sugar, but had no Witneſs to that, or his Reputation, and was found guilty to the value of 10 *d.*

**John Thompſon** of the Pariſh of St. *Bartholomew the Great*, was indicted for privily ſtealing a Riding-hood, value Twenty Shillings, the Goods of *Richard Berkhead*, on the 2d inſtant. It appear'd, that Two Women being in the Proſecutor's Shop, one of 'em told him ſhe ſaw a Man come in and take the Riding-hood off a Chair where it hung; whereupon he purſu'd and took him with it upon him. He pretended he had it from one of the Women in the Shop, and thought ſhe had bought it, but had another Story when taken, and having none to his Reputation, was found guilty of Shop-lifting.

**Richard Towne** of *London*, Tallow Chandler, was indicted for Felony, upon the late Statute againſt fraudulent Concealments by Bankrupts. It was plainly prov'd that he had contracted Debts, that a Statute was thereupon taken out, and that he did ſend away his Goods, Plate, Writings, and Books of Account, to *Holland*; and that he himſelf, together with one *Norris*, who aſſiſted him in the Concealment, were ſhipp'd on board a Packet-Boat, where being Sea-ſick, and going to eaſe his Stomach over the ſide of the Ship, Eight hundred Guineas (which he had in two Bags in his Breaſt, between his Coat and Waſtcoat) fell over Board; and the Boat being forc'd on Shoar by the Weather, he was taken by Mr. *Hodgſon*, who had a Warrant from the Commiſſioners of Bankrupt, and upon ſearch found twenty Guineas, and between five and ſix Pounds in Silver, and three Gold Rings upon his Finger. All which Particulars he confeſs'd upon his Examination before the Commiſſioners, except that he owed Mr. *Thomas* (who took out the Statute) nothing, but that he was in his Debt, and produc'd one Note of Seven hundred Pounds, one of Three hundred Pounds, and another of One hundred Pounds, under his hand to prove it; all which Notes being view'd by the Court and the Jury, appear'd to be forg'd by *Towne*, and the hand of *Thomas* counterfeited; as was alſo the Counterpart of an Account paſs'd between them. The Priſoner after this call'd ſeveral to his Reputation, but had the Misfortune either to have them not appear, or if they did, to ſay very little to his purpoſe; one in particular ſaid, he was the greateſt Rogue in *England*, or to that purpoſe. The Court, after a long and patient Hearing, directed the Jury, and they brought him in guilty of the Felony.

**Jane Bailey** of the Pariſh of St. *Sepulchre*, was indicted for ſtealing a Stuff Gown, value ten Shillings, the Goods of *Joſeph Storer*, on the 8th inſtant. It was prov'd that the Priſoner came into the Houſe, and being ſeen to wrap up the Gown, was follow'd and taken in the Green Dragon Paſſage on *Snow-hill*, where ſhe threw it down. She had nothing to ſay for her ſelf, but that ſhe was in Drink, and was found guilty to the value of 10 *d.*

**Suſan Peal** and **Anne Farrow** were indicted for privately ſtealing half a Pound weight of Belladine Silk, value ten Shillings, the Goods of *Thomas Fletcher*, on the 3d inſtant. The Evidence ſwore, that they came into the Proſecutor's Shop, and bought ſome Cadis and a Lace; and that while *Farrow* had the Boy aſide, *Peal* ſtole the Silk, which being ſeen, ſhe was purſu'd and taken, and was ſeen to drop the Silk;

Silk; whereupon she was found guilty of Shop-lifting; but the Evidence not being full against *Farrow*, she was acquitted.

**Daniel Wells** was indicted for a Misdemeanor, in abetting and assisting several Prisoners to break her Majesty's Goal of *Newgate*, and make their Escape. The Prosecutors were Mr. *Rouse* and Mr. *Jeffreys*, the two Master Turn-keys. Mr. *Rouse* depos'd, that on *Monday* the eighth instant, he had private Information that there was a Design to break the Goal that Evening, which he communicated to Mr. *Jeffreys*; and thereupon they made a Search, and found a Hole cut in the Floor of the Hall 7 Inches broad, and 18 long, and also that the Irons of one *Robert Wilks*, a Highway-man, were saw'd off. After which, endeavouring to get further Intelligence, a Woman came with *Wells*'s Child in her Arms, by whom they discover'd where he was; and charging him with the Matter, he confess'd the Fact. Mr. *Jeffreys* depos'd to the same purpose, and that *Wilks* acknowledg'd to him, that *Wells* brought the Saw, and cut off his Irons. It was also prov'd that the Prisoner was the Man who procur'd the Escape of *Holloway*, which was the Cause of three Persons Deaths. All things being very plain, the Jury found him guilty of the Misdemeanour.

**William Thornton** was indicted for publishing a forg'd Letter of Attorney, dated the second of *October* last, in the Names of *Thomas Goodwin*, *James Williams*, and *Elipb Corn*, Captains Servants on board the *Salisbury*. The Evidence was very full against him, and he had confess'd it when taken, whereupon he was found guilty of a Misdemeanour.

**John Hamilton**, Esq; of the Parish of St. *Martin in the Fields*, was indicted for the Murder of *Charles* Lord *Mohun*, Baron of *Okehampton*, on the 15th of *November* last, by comforting, aiding, abetting and assisting the most Noble *James* Duke of *Hamilton* and *Brandon*, and *George Mackartney*, Esq; in giving the said Lord *Mohun* a mortal Wound, in and upon the right side of his Body, near the short Ribs, of the breadth of one Inch, and the depth of Fifteen Inches, of which he instantly dyed. He was also indicted upon the Coroner's Inquisition for the same Murder.

Another Indictment was brought against him, for comforting, aiding and abetting the said *Charles* Lord *Mohun*, and *George Mackartney*, at the same Time and Place, in murdering the said *James*, Duke of *Hamilton* and *Brandon* aforesaid, by giving him a mortal Wound on the left part of the Breast, near the left Pap, of the breadth of Three quarters of an Inch, and the depth of Twelve Inches; And another Indictment likewise upon the Coroner's Inquisition for that Murder.

To all which he pleaded Not Guilty, and the Evidence was as follows: *Rice Williams*, one of the Lord *Mohun*'s Footmen depos'd, That Duke *Hamilton* was affronted by the Lord *Mohun*, before a Master in Chancery, Two Days before the Duel; That parting without any Quarrel at that time, the latter went to *White*'s Chocolate-House, afterwards supp'd at the Queen's Arms in the *Pall-mall*, and then went home, and order'd that Nobody should speak with him next Morning, except Mr. *Mackartney*, who not coming, Lord *Mohun* went to his Lodging, where having staid half an Hour, he and Mr. *Mackartney* went to the Duke of *Marlborough*'s, and tarry'd there about the same space of time: That this Evidence having intimated to Colonel *Jos. Churchill*, who lodg'd in the same House as Mr. *Mackartney*, that there was like to be a Quarrel, his Lord check'd him severely for so doing: That from the Duke of *Marlborough*'s the Lord *Mohun* went to *Sergeants-Inn*, where he was about half an Hour, and then din'd at the Globe in the *Strand* with Col. *Churchill*, Sir *Robert Rich*, and Mr. *Mackartney*. That his Lordship went from thence to the Play, and supp'd that Night with the Duke of *Richmond*, Colonel *Churchill*, Sir *Robert Rich*, and Mr. *Mackartney*. After Supper Mr. *Mackartney* sent this Evidence to his Lodging, and when he return'd they were all gone, and he cou'd not find his Lord all Night. That on *Saturday* Morning about Seven of the Clock, having still a suspicion of Mischief, he went towards *Hide-Park*, and saw Duke *Hamilton*'s Coach going that way; whereupon he follow'd, and with some difficulty got over the Park-wall, that he might not be seen; but by that time he came up to the Place where they were engag'd, he saw both the Lords fall, and two Gentlemen (whom he thought to be Seconds) by them. The one he knew to be *Mackartney*, but cou'd not be positive the Prisoner was the other; but that the other did say, *We have made a fine spot of Work of it*, or to that purpose; and that his Lord being help'd up, reel'd about Two Yards, and then fell, and dy'd presently.

*Isaac Sison*, at the *Rose-Tavern* in *Covent Garden*, depos'd, That on the 14th of *November*, the Lord *Mohun*, and a Gentleman in Grey came thither; and being shew'd a Room, ask'd if Spurs and Gaiters us'd the House; a while after the Duke of *Hamilton* came, and another Gentleman with him; and the Duke asking for *Mackartney*, the Gentleman in Gray hearing him came to him, upon whose coming, the Gentleman with the Duke went away; and the Witness carry'd in a Bottle of Wine, and they bid him go, for they wou'd help themselves. That the Gentleman in Gray went several times between the Duke and Lord *Mohun*; and then the other Gentleman came again to Duke *Hamilton*, and they went away together; but the Witness cou'd not say, 'twas the Prisoner that was with the Duke.

The Duke's Porter depos'd, That on the Fourteenth in the Morning, *Mackartney*'s Man came to enquire if the Duke was stirring; and that afterwards he came himself, told his Name, and said he had Business of Importance from the North to communicate. That *Mackartney* came again at four of the Clock, and was with the Duke about a quarter of an Hour. After which the Duke went out, and came in again about Six, with Colonel *Hamilton*, and they din'd together, and then went out again, and the Duke came in about Eight, and staid all Night. The Evidence being ask'd whether the Prisoner us'd to dine there, answer'd, Very frequently.

*Joan Lesly* (the Dukes Footman) swore, That on the 14th about Five in the Evening, the Duke went in a Hackney-Coach to the *British* Coffee-house, and sent him for the Prisoner, who came into the Coach, and went to the *Rose-Tavern*. That the next Morning by Six of the Clock, he was sent to the Prisoner to get himself dress'd, for the Duke would call upon him about Business; That the Duke came and took the Prisoner in, and bid the Coach-man drive to the *Park*; and the Witness being behind the Coach, the Duke gave him some Keys, and directed him where to find a mourning Sword, which he brought, and the Duke bid the Coach-man drive to *Kensington*; they got out over against the Lodge, and went upon the Grass between the Ponds; the Duke having charg'd him to go and stay by the Coach; That afterwards he met *Mackartney* going towards *Kensington*; and then the Prisoner, who went away in the Dukes Coach, and told him the Duke was mortally wounded.

*Andrew Clark* (the Dukes Coachman) swore, the Duke order'd him before Six to get the Coach ready; and when it was done, he retir'd Three or Four Minutes, and then went and call'd the Prisoner, and from thence bid him drive to the *Park*; and there got out, and order'd the Coach to stand by the white Rails. That he saw *Mackartney* come by, with his Waistcoat-Buttons all bloody, and in a very melancholy Posture, and then the Prisoner came, and he took him into the Coach.

It farther appear'd, That when the Lord *Mohun* came into the *Bagnio* about One of the Clock on *Saturday* Morning, he seem'd very melancholy, and when laid down in his Bed, fetch'd a deep Sigh: That Mr. *Mackartney* came afterwards, and was very jocose.

*John Pennington* swore, That he was call'd from *Bowstreet-end* to the *Bagnio*, where he took up Lord *Mohun* and *Mackartney*, and drove 'em into the *Park*. When they came thither, he was sent to the Lodge for some burnt Wine, while they pretended to walk. That afterwards Duke *Hamilton* and another Person came to him, and ask'd him where those were that he brought, and he telling which way they were gone, they went that way also; whereupon he mistrusted something, went to the Lodge, and call'd for help. That he saw them go over the Ditch, and draw all their Swords, but did not see the Seconds push, tho' he saw them go to help the two Lords when they were down.

*Joseph Nicholson*, gave Evidence, That he was desir'd to come and help; and that he saw the Lord *Mohun* down, and Duke *Hamilton* fall over him; a Gentleman being behind the Duke, and another behind the Lord, endeavouring to raise them, with both their Swords drawn, that when he and others came up, the two Gentlemen deliver'd their Swords, but the Lords were not willing to part with theirs; That the Lord *Mohun* beginning to Faint, *Mackartney* help'd to turn him on his side, saying, he believ'd he was sick with bleeding inwardly. And that after the Duel, Mr. *Mackartney*'s Sword was very crooked and bloody when taken, but Colonel *Hamilton*'s had no Blood at all. One *Morris*, a Groom depos'd, That he saw the Duel; That Duke *Hamilton* and Lord *Mohun* having push'd a little while, the Duke closed and took Lord *Mohun* by the Collar, which last fell and groan'd, and the Duke upon him; That he saw Lord *Mohun* lay hold of the Duke's Sword just as he was dropping, but cannot say it was in his Body: that he saw no Wound given after the closing, nor had Lord *Mohun* shorten'd his Sword.

*Henry Amy*, a Surgeon, depos'd, That he found Duke *Hamilton* had receiv'd a wound by a Push, which had cut the Artery and small Tendant of his Right Arm; another in his Right Leg, Eight Inches long, which he suppos'd to be by a Slash, it being very large; another small one in his left Leg, near the Instep; and a fourth on his Left Side,

side between the second and third Rib, which ran down into his Body, most forwards, having pierc'd the Skirt of his Midriff, and gone through his Caul; which Wound could not be given but by a Thrust coming from an Arm that reach'd over, or was above him. He further depos'd, That he also view'd the Lord *Mohun*'s Body, and found that he had a Wound between his short Ribs, quite through his Belly; another about Three Inches deep in the upper part of his Thigh; a large Wound about Four Inches wide in his Groin; and another small Wound on his Left Side; and, That the Fingers of his Left Hand were cut.

*Paul Boussier*, another Surgeon, depos'd, That about a Quarter after Eleven on *Friday* Night the 14th of *November*, a Footman came for him to go to Duke *Hamilton*'s; but he being in Bed, and not well, ask'd if the Duke was ill; and being told he was not, desir'd to be excus'd till Morning. That the next Morning Mr. *Ferguson* came to him about Seven, and said, The Duke wou'd have him take Coach, and come to *Hide Park* to dress him if there shou'd be occasion. That not being up, he sent a Servant, and after some time went to the Dukes House, and found him dead. That he open'd the Body, and perceiv'd the Wound between his Second and Third Rib to enter down into the Body, which could not be given but by some Push from above. And being ask'd if the Wound in his Arm wou'd hinder the holding his Sword in his Right Hand, he answer'd, That he might use that Arm for a while, it being the small, and not the main Tendant that was cut.

Mr. *Ferguson* gave Evidence, That on *Saturday*, *November* 15th. about Seven in the Morning, the Duke his Master sent for him; and after having made him promise Secrecy, told him he had a Challenge, and was oblig'd to vindicate his Honour; wherefore he bad him get *Boussier* ready to attend in case of Need; but *Boussier* not being ready, he took his Man; and before he came to the Park, all was over.

The Prisoner in his Defence said, That the Duke call'd him to go abroad with him; but he knew not any thing of the matter 'till he came into the Field, nor never saw the Lord *Mohun* before. He had several Noblemen of *Scotland*, and other Persons of Quality, who all gave him the Character of a very Honest, Gallant, Inoffensive Man. After which, the Court summ'd up the Evidence, none of which being sufficient to prove the Prisoner's Knowledge of the Duel, the Jury found him Guilty of Manslaughter upon Two Indictments, and acquitted him of the Coroner's Inquisition. After which, he pray'd the Benefit of the Statute, which was order'd to be enter'd accordingly, and Execution done pursuant to the same.

**Edmund Pillard** of the Parish of St. *Pancras*, was indicted for the Murder of *Henry Bristle* on the 24th of *September* last, by giving him a Mortal Wound with a Rapier on his left Breast near the Pap, of the breadth of half an Inch, and the depth of Six Inches, of which he instantly dy'd. He was also indicted upon the Coroner's Inquest for the same Murder. The Evidence set forth, That the Prisoner and the Deceas'd being Soldiers, had some Words at their Exercise, in which the Prisoner told him there was a grudge between them, or to that purpose, and that now was the time; after which they were seen to whisper together, and then went to their Serjeant's, from whence they seem'd to part Friends, and afterwards the Deceas'd was found Dead in a Field near *Tottenham-Court*. There was a Witness who depos'd he saw Two Men walking together, as he was driving his Cart by the Road, and when he came back saw one of them Dead, but could not be sure the Prisoner was the other. Another Witness swore the Prisoner own'd to him that he Kill'd the Deceas'd; but he deny'd it at his Trial, and the Jury found him Guilty of Manslaughter.

**Edward Peaks** of the Parish of *Hanwell* was indicted for stealing Ten Weather Sheep, valued Five pounds, from *Edward Burnham* on the 3d of *November* last. To which Indictment he pleaded Guilty.

**Anne Clements** of the Parish of St. *Andrew's Holbourn* was indicted for privily stealing Seven Shillings from *Christopher Benfin* on the 3d Instant. The Prosecutor swore, That coming down *Holbourn* about Ten at Night, the Prisoner was calling out for help against Two Persons who she said had Robb'd her; and he going to help her, she found means to pick his Pocket, and went off; but that he afterwards seiz'd her, and had her committed. She said in her Defence, That the Prisoner was in Drink, and wou'd have been rude with her; and the Jury considering the whole Circumstance, found her Guilty to the value of 10 *d*.

**John Harris** of the Parish of *Stepney*, was indicted for breaking open the House of *Thomas Constable* on the fourth instant, at seven a Clock at Night, and stealing thence 17 Ounces of Bedlaine Silk, a Cloth Coat, and other Goods. The Prosecutor depos'd, that he was call'd from his Work, and told his House was broke open, and that it was fast at five a Clock. It was also prov'd, that he was seen coming out, and pursu'd, and drop'd a Hat when taken, which the Prosecutor swore to be his. He said in his Defence, that coming along, he heard a Cry of Thieves, and ran along with other People, and so was taken up by mistake. He had some Witnesses, who said he took pains for his living, driving a Wheelbarrow with Fruit, and help'd to maintain his sick Mother. Upon the whole, he was found guilty to the value of 10 *d*

**Anne Parker** of the Parish of St. *Andrew Holbourn*, was indicted for stealing a Quilt, a Pair of Dowlas Sheets, and other Goods, from *Thomas Hewson*. It appear'd by the Evidence, that the Prisoner took a Room in the Prosecutor's House, and next Morning went off with the Goods, which were taken upon her by some Milk-women in the Fields. The Evidence was plain upon her, and she had nothing to say in her Defence; but the Prosecutor having his Goods again, and the Prisoner a poor old Woman, she was found guilty to the value of 10 *d*.

**Thomas Windin** was indicted for stealing a Scarlet Coat trimm'd with Gold Edging, a Buff Waistcoat and Breeches, and other Goods, on the first of *October* last. To which Indictment he pleaded guilty.

**Susan Dove** of the Parish of *Stepney*, was indicted for privily stealing 33 Shillings from *William Harris*, on the 14th of *November* last. The Prosecutor depos'd, that as he was going along *Earthing-Pye-House Fields*, the Prisoner was standing at a Door, and ask'd him to come in, where they drank four Hor-pots, and a Quartern of Brandy, and when he parted from her he miss'd his Money. The Prisoner deny'd the Fact, and brought Witnesses to prove he had charged other Persons with it before, so she was acquitted.

**Eustace Curtis** of the Parish of St. *Leonard Shoreditch*, was indicted for stealing five dozen of Sheepskins from *John Francis*. It appear'd that the Goods were lost off the Prosecutor's Stall, and part of them found at one *Dennis*'s in *Hog-lane*, which he bought of the Prisoner. The Prisoner alledg'd he bought them of another Person, and had a Witness who swore she saw him pay for some, and that she work'd with him at his Trade of Breeches making, and always found him an honest Man, whereupon he was acquitted.

**Richard Kirton** of the Parish of St. *Dunstan* in the East, was indicted for stealing a Hat, value 10 Shillings, from *Musgrave Davison*, on the 30th of *November* last. The Prosecutor's Man swore, that the Prisoner came into his Master's Chambers in *Lincolns-Inn*, pretending to sell Blanks, and took the Hat away, which was taken upon him. He pretended he found it in the Entry, but that not being believed, he was found guilty to the value of 10 *d*.

**Abraham White** of the Parish of *Edmonton*, was indicted for breaking the House of *John Pickett* on the 6th of *November* last, in the Day time (no Person being in the House) and stealing thence a Fustian Frock and Breeches, value 16 Shillings, a pair of Shoes, and two pair of Stockings. The Prosecutor swore his House was broke, and the Goods stolen, and that upon pursuit he was taken, and the Stockins and Shoes upon him. The Prisoner said he found them under a Hedge, and no Person proving that he was in the House, he was acquitted.

**Joseph Clemson** and **Mary Hughs**, of the Parish of St. *Andrew Holbourn*, were indicted for breaking the House of Sir *James Brooks*, on the 28th of *November*, in the Night time, and stealing thence two Gold Watches, seven Silver Salvers, and a large quantity of other Plate and Jewels. The Evidence was the Lady's Woman, who swore, that she wound up her Lady's Watch, hung it up in her Chamber, and lock'd the Door; and the Screws of the Lock were found to be taken out, by which means the Door was opened, and the Watches and a Ring taken away, while Sir *Richard* and his Lady were asleep; and the Plate was also stole out of the Butler's Room while he was in Bed. The Noise of the Robbery being spread, a Gentlemans Coachman went in pursuit of the Prisoners, and at *Kicks-end*, near *Barnet*, found them in Bed together, and the Watches lying on a Table by them. *Clemson* said in his Defence, that *Hughs* was his Wife, and that she (being a Servant in Sir *Richard*'s House) brought him the Goods for her own; but she had nothing to say, only that no Locks were broken. The Jury found them both guilty of the Felony, but acquitted them of the Burglary.

**Beatrice Bezessenden** of the Parish of *Teddington*, was indicted for stealing nine Guineas from *Robert Morris*, on the 24th of *October* last. It appear'd, that she was Servant at an Inn where the Prosecutor lay, and stole the Guineas out of a little Box. She confess'd the matter when taken, and discover'd where she had thrown them, and they were

found

found accordingly: She had nothing to ſay, and was found guilty of Felony.

**John Day**, alias **Dickinſon**, of the Pariſh of St. *James Clerkenwell*, was indicted for ſtealing a black and white Cow, value Four Pound ten Shillings, from *Richard Holland*, on the 18th of *November* laſt. The Proſecutor ſwore he loſt two Cows from *Elſtry* in *Hertfordſhire*, but could not prove the Priſoner to be concern'd in ſtealing of them, and he was therefore acquitted.

**Evan Obzey** of the Pariſh of St. *John at Wapping*, was indicted for ſtealing three pair of Shoes, three Shirts, and other Goods, from *John Mayne*, on the 23d of *November* laſt. It appear'd, that the Goods were loſt from on board a Ship, and the Priſoner was taken with ſome of them on his Back, and that he confeſs'd he ſold ſome of them. The Priſoner ſaid he took the Goods by miſtake for his own, at coming from on board the Ship; but had no Evidence to his Reputation, and was found guilty to the value of 10 *d.*

**Joſeph Ing** of the Pariſh of St. *Leonard Shoreditch*, was indicted for ſtealing a Hog, value fifty Shillings, from *William Wright*, on the third of *November* laſt. The Evidence was one *Kidder*, who depos'd, that coming from *Rumford* with a Drove of Hogs, one dropp'd in *Spittle-fields* Market; and having ſome Information of a Hog being kill'd at the Priſoner's Houſe, went and ſearch'd, and found ſome Hair, but could not prove the Indictment, and the Priſoner was acquitted.

**William Rich**, alias **Clark**, of the Pariſh of St. *Paul Covent-Garden*, was indicted for ſtealing Twenty ſeven Yards and a half of Broad-cloth, value Ten Pounds, from *George Tilden*, on the fifth inſtant. The Proſecutor's Servant ſwore, that while he was at Dinner the Goods were taken away, and he ran into *Covent-Garden*, overtook the Priſoner, and ſaw him drop it; which was confirm'd by another Witneſs, and he was thereupon found guilty of Felony.

**Samuel Brown** (a Boy) of the Pariſh of St. *Giles's Cripplegate*, was indicted for ſtealing a Callicoe Handkerchief, valued Eight Pence, from *Chriſtopher Stevenſon*. The Proſecutor ſwore, That being in a Crowd in *Moor-fields*, the Priſoner pick'd his Pocket, and put the Handkerchief into his Boſom, which he took upon him. The Priſoner ſaid he found it upon the Ground, though he confeſs'd it before Juſtice *Manlove*. The Jury found him Guilty to the value of 10 *d.*

**Mary Sanderſon** of the Pariſh of St. *Andrews Holbourn*, was indicted for that ſhe (with *John Sanderſon* her Husband) did felonioufly ſteal a Gawſe Handkerchief and other Goods from *Mary Bierly*. The Priſoner in her Defence ſaid, that her Husband kept Company with the Proſecutor, and he had ſeveral things from her, and amongſt the reſt the Handkerchief, which keeping Company was prov'd by other Witneſſes, who alſo gave a very good Account of her Reputation, whereupon ſhe was acquitted.

**Mary Tayler** of the Pariſh of St. *Andrews Holbourn*, was indicted for privily ſtealing a piece of Muſlin, valued Fifty Shillings, out of the Shop of *John Bull*. The Evidence ſwore, That ſhe came into the Shop pretending to buy, and was ſeen to take the Muſlin, and permitted to go Two or Three Doors with it under her Riding-hood; and then was taken and brought back. Upon the whole, ſhe was found Guilty of Shop-lifting.

**Jane White**, alias **Weſt**, and **Mary Bolwell**, of the Pariſh of St. *Giles* in the *Fields*, was indicted for ſtealing a Fuſtian Frock with Silver Buttons, valued Thirty Shillings, *&c.* the Goods of *William Richardſon*, on the firſt Inſtant. The Evidence depos'd, That about Twelve at Noon his Houſe was open'd with a Picklock Key, and the Goods taken away; and the Priſoners being taken, *Boſwell* confeſs'd it, and directed him where to find ſome of his Goods again; whereupon ſhe was found Guilty; but the Evidence not being ſufficient againſt *White*, ſhe was acquitted.

**John Walker** of the Pariſh of St. *Giles Cripplegate*, was indicted for breaking the Houſe of *Elizabeth Hall* on the 22d of *October* laſt, in the Night-time, and ſtealing from thence a Furbelow-Scarf, valued Twenty Shillings, a Holland Apron valued Two Shillings, and other Goods. The Proſecutor ſwore her Caſement was taken down, and ſet on t'other ſide of the way; and her Trunks broken open, and the Goods gone; and it was prov'd by another, that he Sold Two of the Aprons, which the Proſecutor ſwore to be hers. The Priſoner did not deny the ſelling of them, but ſaid he had them from three Women, who eat and drank at his Houſe, and had not Money to pay him; which was confirm'd by a Witneſs, and he was acquitted.

**William White** of the Pariſh of St. *Mary Savoy*, was indicted for ſtealing a Lac'd Head-Dreſs, Two Muſlin Bibs and Aprons, and other Goods, from *Zach. Brown* on the Third of *November* laſt. The Evidence was very plain; that he was in the Houſe, and pack'd up the Goods in order to carry away; but being ſurpriz'd, he fled, and was taken. He ſaid in his Defence, That he was newly come from Sea; and being purſu'd by a Bailiff, fled into the Houſe for Refuge; but could prove nothing, nor had any to his Reputation, and was found Guilty to the value of 10 *d.*

**Jane Simons** of the *Pariſh* of *Stepney* was indicted for ſtealing Two Cocks, valued Two Shillings, and Thirteen Hens, valued Seventeen Shillings, from *Allen Parſons* on the 27th of *October* laſt. The proſecutor ſwore, That about Eleven at Night he look'd out at Window, and ſaw the Priſoner about the Hen-houſe; and making what haſt he could down, took her with Eight of the Fowls Kill'd, and the reſt ty'd together alive, which was alſo depos'd by a Neighbor who came to his Aſſiſtance. She had nothing to ſay for her ſelf, nor any to her Reputation, and was found Guilty to the value of 10 *d.*

**Richard Buſhel** and **John Crabb** of the *Pariſh* of St. *Giles in the Fields*, were indicted for breaking the Houſe of *Francis Anneſley* Eſq; on the 13th of *Auguſt* laſt, and ſtealing thence Gold Medals, and other Gold, Jewels, Money, and Bills, to a very great value. It was prov'd that *Buſhel* was Servant to the *Proſecutor*, and that he was entruſted with the Houſe when his Maſter was out of Town; and that he being ſo out of Town on the Day aforeſaid, *Crab* was ſeen to come after Nine at Night to the Houſe, and enquire for one of the Maids, and then go into the *Parlour* to *Buſhel*; and in the Morning a Room and two Scrutores were broken, and *Buſhel* gone. Another Witneſs ſwore, that ſhe ſaw *Crabb* in the Houſe when ſhe went to Bed, and that he came no more after that Night. Mr. *Anneſley* being inform'd of this, put out Bills, and ſent Intelligence to the Cuſtomhouſe Officers at all the *Ports*, by which means they were after ſome time ſeiz'd in *Wales*, and committed to *Carmarthen* Goal; from whence being brought by a *Habeas Corpus* to Town, they confeſs'd the whole Matter to the Proſecutor and another Gentleman. *Buſhel* ſaid, that *Crabb* ask'd him for a Bottle of Wine, which he could not give him, the Key of the Wine-Cellar being in his Maſter's Scrutore; and thereupon *Crabb* got a Key to open the Scrutore, and by that means induc'd him to be concern'd in the Robbery. But *Crabb* in his Defence ſaid *Buſhel* ſet him to Work to make a Picklock Key, and was the firſt Contriver of the Fact. The Jury finding the Matter ſo very plain, found them both guilty of Felony and Burglary.

**Anne Spencer** of the *Pariſh* of *Fulham*, was indicted for ſtealing Three Shirts, Two Shifts, and other Goods, from *Anne Hall*, on the 11th of *September* laſt. It was plainly prov'd, that the *Priſoner* came in at the back Door, and went up Stairs, and put up the Goods in order to carry away; whereupon the Jury found her guilty to the value of 10 *d*,

**Eleanor Smith**, of the *Pariſh* of St. *Andrew Holbourn*, was indicted for ſtealing a Gallon *Pot*, value three Shillings, from *William Manning*, whoſe Servant ſwore, that the *Priſoner* came into the Bar, and took the *Pot*, and was going off with it, but was taken.

**Sarah Dakon**, alias **Gideon**, of the *Pariſh* of St. *Dunſtan Stepney*, was indicted for breaking the Houſe of *Elizabeth Landel*, on the 21ſt of *November* laſt, and ſtealing a Sattin Gown and Petticoat, *&c.* The *Proſecutor* ſwore, that ſhe went abroad to a Burial, and faſtned her Door and her Windows; and when ſhe came home, found her Houſe broke open, and the Goods taken away, and part of them found in Rag-Fair, ſome of which were ſold by the Priſoner. She deny'd ſhe had any of the Goods, and ſaid that one of the Witneſſes was a Dealer with Thieves. She was acquitted of the Burglary, and found guilty to the value of 10 *d.*

**George Horne** of the Pariſh of St. *Clement Danes*, was indicted for ſtealing a Quarter of Malt, value Twenty Shillings, and two Sacks, the Goods of *Ralph Booth*, on the 15th of *November* laſt; and a ſecond time for ſtealing a Skiff. It appear'd by the Evidence, that he brought the Malt and Skiff to *Three Cranes*, and there put it aſhore; and being taken upon Suſpicion by a Conſtable, was charg'd by the Proſecutor, who had his Goods again, and he was found guilty to the value of 10 *d.*

**John Bath** of the Pariſh of St. *James Clerkenwell*, was indicted for ſtealing a Gelding, value 8 *l.* and a Mare, value 4 *l* from *John Stevens*, on the 29th of *April*, in the tenth Year of the Queen. There was an Evidence who ſaid, the *Priſoner* and he together ſtole the two Horſes, out of ſome Grounds near *Ware*; and that himſelf, the Priſoner and another ſold them, and divided the Money between them: But no Proſecutor appearing, and the Priſoner having ſeveral to his Reputation, who prov'd that

he kept an Inn at *Wickham-Croſs*, the Jury thought fit to acquit him.

**William Perkins**, alias **Innocent**, of the Parish of St. *Giles's* in the Fields, was indicted for breaking the House of *Ralph Lambert*, on the 22d of *November* last, in the Night time, and ſtealing thence two Holland Shifts, three Holland Pillowbers, and other Goods. The Evidence depos'd, the Window was open'd, and the Mark of a Man's Foot seen in the Window, and on the Floor; and that one who lodges in the House, coming home, took the Priſoner just coming out of the Street-door. He pretended he was sent of an Errand, and mistaking the House, went in there and call'd, and could make no body hear; but it was prov'd the Door was bolted on the inside, and that he push'd it back to get out. The Jury finding it very plain, brought him in guilty of Felony and Burglary.

**Robert Wine** and **Levin Reason**, of the Parish of *Hendon*, were indicted for ſtealing a Weather Sheep, value ten Shillings, the Goods of a Perſon unknown, on the eighth of *November* last. The Evidence were two Watchmen, who depos'd, That going their usual Round, they met the Priſoners with the Sheep cut asunder in the middle in their Haversacks, which they own'd they brought from *Hendon*, and afterwards confeſs'd the same before Justice *Hannaway*. They said in their Defence, that they were of the *Windſor* Party, and coming to *London*, met a Butcher with nine Sheep, one of which having his Leg broke, fell by the way, and they bought it for four Shillings, and that he had the Skin for ſtripping of it; but that being look'd upon as frivolous, and having no Witneſs, they were found guilty to the value of 10 *d.*

**Thomas Holmby** of the Parish of St. *Sepulchre* was indicted for ſtealing a Saddle, value ten Shillings, the Goods of *James Odel*, on the 8th of *November* last. The Evidence swore, That the Priſoner came by with a Saddle, and offer'd to ſell it him for four Shillings, and at last bargain'd for Two Shillings and Six Pence. And that soon after hearing Mr. *Odel* had loſt a Saddle, he caus'd the Priſoner to be apprehended; but Mr. *Odel* not appearing, and the Witneſs not being ſufficient, he was acquitted.

**Alice Cotton** of the Parish of St. *Botolph* without *Bishopsgate*, was indicted for privily ſtealing Six Shillings and Six Pence out of the Pocket of *William Bentley*, on the 18th of *November* last. The Proſecutor swore, That he met the Priſoner upon *Tower-hill*, between 11 and 12 a Clock at Night, and she ask'd him to drink; which he comply'd with, and after he came out of her Company he miſs'd his Money. She in her Defence said, that he pick'd her up, and threatned her with his Knife if she wou'd not comply; and that thereupon she did go to drink with him, where he talk'd very lewdly, and was much in Drink, but deny'd she had any of his Money. Upon the whole the Jury found her Not Guilty.

**Mary Lawton** of the Parish of St. *Andrew Holborn*, was indicted for privily ſtealing Seven Shillings from *Samuel Witting*, on the 25th of *November* last, but no Evidence appearing, ſhe was acquitted.

**James Tomlin** of the Parish of St. *Clement Danes*, was indicted for breaking the House of *John Linwood*, on the 10th instant in the Night time, and ſtealing thence three Silver Taſters, two gilt Spoons, and other Plate, Linnen and Goods. The Proſecutor depos'd, That the Priſoner confeſs'd he came into the House at 9 a Clock at Night, and in the Morning his Goods were gone. And another Witneſs swore, That he came to his House in *Catherine-ſtreet*, and call'd for some Drink; and that being ſuſpected to be an ill Perſon, he was ſtopp'd, and part of the Plate and other Goods found upon him, which were produc'd, and sworn to by the Proſecutor. The Burglary was not ſufficiently prov'd, whereupon the Jury brought him in guilty of Felony.

**Valentine Bernard** of the Parish of St. *James Weſtminſter*, was indicted for ſtealing an Iron Jack, value Forty Shillings, from *Auguſtine Smith*, on the 22d of *November* last. But no Evidence appearing againſt him, he was acquitted.

*The Tryals being over, the Court proceeded to give Judgment as followeth.*

**Received Sentence of Death 9.**

*James Aſhwood, Paul Downes, John Thompſon, Richard Towne, Suſan Meale, Mary Tayler, Richard Baſted, John Crabb, William Mathins.*

Burnt in the Hand 17.

*Elizabeth Wells*, alias *White*, *Eleanor Smith*, *Elizabeth Thompſon*, *Sarah Gideon*, *John Herring*, *Edmund Hilliard*, *Edward Meads*, *Thomas Windſor*, *Joſeph Clemſon*, *Mary Hughs*, *Beatrice Briſſenden*, *William Rich*, *Mary Boſwell*, *James Simons*, *Henry Morgan*, *John Hamilton*, *James Urwin*.

To be Whip'd 21.

*Thomas Finch*, *Phebe Pickering*, *James Goſwell*, *Sarah Ridgway*, *Caleb Lockwood*, *John White*, *Katherine Prieſt*, *John Philips*, *Charles Widows*, *Jane Bailey*, *Anne Clements*, *Anne Parker*, *Richard Rixton*, *Evan Obrey*, *Samuel Browne*, *William White*, *Anne Spencer*, *George Horne*, *John Harris*, *Robert Wine*, *Levin Reaſon*.

*Daniel Wells* to ſtand in the Pillory in *Newgate-ſtreet*.

*William Toorn* Fin'd Forty Shillings, and to ſtand in the Pillory upon *Tower-hill*.

*Suſan Meale*, and *Mary Tayler*, pleaded their Bellies, and were found to be with Quick Child.

The next enſuing Seſſions to begin on *Friday* the 16th of *January* next, at Seven a Clock in the Morning.

Sir *Richard Hoare*, Knt. Lord Mayor.

God Save Queen *ANNE*.

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## *ADVERTISEMENTS.*


**Lately Publiſh'd.**

THE *Publick Divine Service of the Church*, or the Common Prayer Book, prov'd to be taken out of the Holy Bible, and agreeable to the Practice of the Primitive Church, and now purpoſ'd for the Information and Inſtruction of thoſe who Diſſent from the Church of England. *With a Preface by the Reverend Dr.* Brett. 1713.

THE *Great Duty of Catechiſing*; being a plain and eaſy Diſcourſe, from a Divine of the Church of England, to the People under his Charge, ſhewing them the Neceſſity of inſtructing Youth in the Principles of the Chriſtian Faith: And earneſtly perſuading them to teach their Children the Church Catechiſm, and to cauſe them to come to Church, to be further examin'd and inſtructed in it. *With ſome few Remarks upon the Excellency of that Catechiſm above all others.* In Two Parts. Both ſold by John Morphew, near Stationers'-Hall.

**For the Good of the Publick.**

WHereas ſeveral Ladies Gentlewomen, and others of that Sex in this Kingdom, have contracted an evil habit of Body, wherein the noxious Humours at firſt diſperſed through the whole, come at length to be lodged in one part or another, and many times, for Cauſes too long here to be mentioned, are thrown down upon the Womb, occaſioning a dangerous Weakneſs in that part, which being neglected, at laſt turns Cancerous, and often proves fatal. This is to acquaint all ſuch as may have Occaſion, that a certain and ſpeedy Relief, is to be had from an experienced Midwife, living now at the Goldſmiths, over against Exeter-Exchange in the Strand; who lately performed a wonderful Cure upon a Lady at the Bath, after ſhe was given over by Phyſicians.

A Small Parcel of very fine Malaga Citrons juſt landed, to be had at the Sign of the White Bear near Pudding-Lane in Thames-ſtreet.


LONDON, Printed and Sold by *John Morphew* near *Stationers-Hall*, 1712.

H

THE

# Comical Miller of Shaftsbury:

BEING

*A Pleaſant Account of one* Joſeph Reader, *who was Try'd laſt Aſſizes at* Dorcheſter, *and Acquitted, before Mr. Baron* Bury, *for Hanging a Highway-Man, he had taken, upon the Spot, in his own Girdle, without carrying him to Juſtice.*

THe want of Diſcretion in a lower Rank of Men has been remarkable in all Ages, but never more than in the preſent Caſe, as you will hear by the Sequel. At *Shaftsbury* in *Dorſetſhire*, (a Town which gave Title to a fam'd Politician in his Days) One *Nat. Seager*, a Malſter, did on Saturday, the 2d of *February* laſt, take Horſe in order to go to *Blandford* Market about 12 Miles off, deſigning to Buy Corn as uſual, but was got no farther than the Plain, about 2 Miles from Home, before he was attack'd by a Highway-Man, and a Piſtol clap'd to his Breaſt, with the Word of Command, *God D——n you, you old Dog, alight and deliver:* At which, Mr. *Seager* being very much terrify'd, got of, and threw the Highway-Man 3 *l.* in Silver, with which not being contented, he rap'd out his former Oath with a Volley more, ſaying, That that was not all, and drawing his broad Sword, cut Mr. *Seager* in the Left Shoulder; upon which fumbling in his Fob, he pull'd out 24 Guineas more, which he threw him, with which the Rogue rode off contented, leaving Mr. *Seager* bleeding upon the Ground. In a little time after came up *Jo. Reader* the Miller, a Horſeback, Whiſtling as he us'd to do, and ſeeing Mr. *Seager* in that Condition, ask'd what was the Matter, the whole whereof the Malſter told him in ſhort; ſays *Joſeph*, Maſter, lend me your Horſe, as being better than mine, and I'll endeavour to overtake the Rogue; to which Mr. *Seager* readily conſented, and ſaid he would come after as faſt as he could upon the Miller's: Says Mr. *Seager* he's but juſt out of Sight, has on a great Blue Coat, and rides upon a Sorrel Horſe. Away *Joſeph* ſcoures, with an Aſſurance to the Malſter, that he would take him if the Devil did not. To be ſhort, it was not long before he came up with the Highway-Man, who upon his approach let fly at him, which miſs'd him narrowly, going through the Lappets of his Coat; however, not diſcourag'd, he ſtill purſu'd, and came up with him a ſecond Time, upon which the Highway-Man let fly at him again, but miſs'd him; with that *Joſeph* wiſely concluding the Highway-Man's Ammunition might be ſpent, clap'd in with him, and knock'd him off his Horſe with a good Oaken Cudgel he had his Hand, and ſo handſomely Dreſs'd him, that he quickly brought him to his Bow, the Miller being a much ſtouter Man than the Highway-Man. By that time the Fray was in a Manner over, Mr. *Seager* came up, and found the Highway-Man ſprawling upon the Ground, and the Miller ſtanding over him to Watch him: To whom the Miller ſaid, Look here, Maſter, is this the Rogue that robb'd you, i'faith I have him in *Lob*'s Pound; and will'd Mr. *Seager* to ſearch his Pockets and take his Money again, which he did: But then the grand Queſtion was, What they ſhould do with him? At laſt they reſolv'd, That Mr. *Seager* ſhould go and have his Wounds dreſs'd, and ſend his Servants, and others, to help the Miller to carry the Highway-Man before the next Juſtice. Away goes Mr. *Seager*, deſiring the Miller to hold him faſt till ſome Body came to his Aſſiſtance: But as ſoon as he was gone, this Crotchet came into the Miller's Noddle, If this Rogue ſhould recover Breath by lying, and get up upon me, I ſhould loſe the Forty Pounds due for taking a Highway-Man, therefore to make ſure Work on't, I'll e'en Hang him my ſelf, and ſo he did; for taking the Highway-Man's Belt from about his Middle, he put it about his Neck, and dragg'd him to a Tree, and fairly hung him up till he was *Dead, Dead, Dead.* By this time came the Malſter's Servants, with the *Poſſe* of *Shaftsbury*; and asking where the Highway-Man was, ſays the Miller, I have him as ſafe as a Thief in a Mill; look behind that Tree, ſays he, which they did, and found him Stone-Dead. But here was the Miller's Expectation balk'd, for inſtead of Forty Pound, which he expected as a Reward, he was carried before Juſtice *Coker*, and committed to *Dorcheſter* Goal. However, Mr. *Seager* appearing for him at the Aſſizes, he was acquitted, the Tryal having given a great deal of Diverſion to the Hearers, who, 'tis generally believ'd, there being preſent abundance of Gentry, gave the Miller at leaſt Thirty Pounds amongſt 'em by way of Encouragement.

*LONDON*: Printed for *J. Baker* in *Pater-Noſter-Row*, 1712. *Price One Penny.*

# Mr. *NOBLE's* SPEECH

TO MY

## Lord Chief-Juſtice *PARKER*,

AT HIS

# TRYAL

AT

## *Kingſton* ASSIZES,

ON

*Friday*, MARCH 13, 1712.

*LONDON:*

Printed for BERNARD LINTOTT, at the *Croſs-Keys* between the *Two Temple-Gates*, *Fleet-ſtreet*.
MDCC XIII.

Price Two Pence.

# Mr. *NOBLE*'s SPEECH

## TO MY

## Lord Chief-Juſtice *PARKER*,

*At His TRIAL at* Kingſton *ASSIZES, on* Friday, March 13, 1712.

*My LORD,*

I Am ſoon to appear, and render an Account of my Sins to God Almighty: If your Lordſhip ſhould think me guilty of thoſe Crimes I have been Accuſed, and Convicted by my Jury, I am ſure, then, your Lordſhip will think that I ſtand in need of ſuch a Preparation, ſuch a Humiliation for my great Offences, ſuch an Abhorrence of my paſt Life, to give me Hopes of a future One, that I am not without Hopes that it will be a Motive to your Lordſhip's Goodneſs, that, after you have Judg'd and Sentenc'd my Body to Execution, you will Charitably aſſiſt me with a little Time for the Preſervation of my Soul.

If I had nothing to anſwer for, but Killing Mr. *Sayers* with precedent Malice, I ſhould have no need to Addreſs my ſelf to your Lordſhip in this Manner. It is now too late to take Advantage, by Denying it to your Lordſhip, and too near my End to diſſemble it before God: I know, my Lord, the Danger, the Hell, that I ſhould plunge my ſelf headlong into; I know I ſhall ſoon anſwer for the Truth I am now about to ſay, before a Higher Tribunal, and a more diſcerning Judge than your Lordſhip, which is only in Heaven, That I did not take that Advantage to Kill Mr. *Sayers*, by a Thought or Apprehenſion that I could do it under Umbrage of the Law, or with Impunity; and nothing was more diſtant from my Thoughts, than to remove him out of the World to enjoy his Wife (as was ſuggeſted) without Moleſtation: Nor could any one have greater Reluctance, or Remorſe, from the Time of the Fact to the Hour of my Tryal, than I have had, tho' the Proſecutors reported to the contrary; for which I heartily forgive them.

My

My Counſel oblig'd me to ſay on my Tryal, *That I heard Mr.* Sayers's *Voice before he broke open the Door*; I told them, as I now tell your Lordſhip, That I did not know it was him, 'till he was breaking in at the Door, and then, and not before, was my Sword drawn, and the Wound given, which Wound, as Dr. *Garth* inform'd me, was ſo very ſlight, that it was a thouſand to one he Died of it.

When I gave the Wound, I inſenſibly quitted the Sword, by which means I left my ſelf open for him to have done what was proved, and was ſo likely for him to have effected, *viz.* to have Stabb'd me, which are Circumſtances that manifeſt the Greatneſs of my Surprize.

When I heard the Company run up Stairs, I was alarm'd, and in Fear; the Landlord telling me, inſtantly thereupon, that the Houſe was beſet either for me or himſelf, added to my Confuſion: I then never thought or intended to do Miſchief; but firſt bolted the Fore-Door, and then bolted and pad-lock'd the Back-Door, (which was half Glaſs'd,) and began to faſten the Shutters belonging to it, deſigning only to ſcreen my ſelf from the Violence of the Tumult. When he broke open the Door, and not 'till then, I perceiv'd and knew he was preſent: And his former Threats and Attempts, which I ſo fully proved on my Tryal, (and could have proved much fuller, had not Madam *Salisbury*'s Evidence been taken from me) made my Fear ſo great, and the Apprehenſion of my Danger ſo near, that what I did was the Natural Motion of Self-Defence, and was too ſudden to be the Reſult of precedent Malice; and I Solemnly declare, that I did not hear or know from *Twyford* the Landlord, or otherwiſe, that any Conſtable was attending the Deceas'd, 'till after the Misfortune happen'd.

It was my Misfortune, that what I ſaid, as to hearing the Deceaſed's Voice, was turned to my Diſadvantage by the Counſel againſt me; and that I was not intitled to any Aſſiſtance of Counſel to enforce the Evidence given for me, or to remark upon the Evidence given againſt me, which I don't doubt would have fully ſatisfied your Lordſhip and the Jury, that what happen'd was more my Misfortune than my Deſign or Intention.

If I had been able, under that Concern, to remark upon the Evidence againſt me, that Mr. *Sayers* was but the Tenth Part of a Minute in Breaking open the Door, it could not then be well ſuppos'd by the Jury, that I was preparing my ſelf, or putting my ſelf in Order to do Miſchief, which are Acts of Fore-thought and Conſideration, which require much more Time than is pretended I could have had from the Time I diſcover'd Mr. *Sayers*; for even from his Entry into the Houſe, to the Time of the Accident, did not amount, as I'm inform'd, to more than the Space of three Minutes. But I did not diſcover him before the Door gave Way.

I wiſh it had been my good Fortune, that the Jury had applyed that to me, which your Lordſhip remark'd in Favour of the Ladies, that the Matter was ſo very ſudden, ſo very accidental, and unexpected, that it was impoſſible to be a Contrivance and Confederacy, and unlikely that they could come to a Reſolution in ſo ſhort a Time: I don't remember your Lordſhip diſtinguiſh'd my Caſe, as to that Particular, to be different from theirs, nor was there Room left for it; for it is impoſſible for your Lordſhip to believe, that I dreamt of Mr. *Sayers* coming there at that Time; but on the contrary, I fully proved to your Lordſhip, that I went there upon another Occaſion, that was lawful and beneficial for the Deceas'd; and I had no more Time to think or contrive, than the Ladies had to agree, or conſent.

If any thing could be conſtrued favourably on the Behalf of ſuch an Unfortunate Wretch as my Self, I think the Deſign I had ſome Time before began, and was about finiſhing that Day, might have taken away all Suſpicion of Malice againſt Mr. *Sayers*.

Muſt it be thought, my Lord, that I only am ſuch a Sinner that I cannot repent, and make Reparation to the Perſons I have injured? It was not denyed, but I ſtrongly ſollicited a Reconciliation between Mr. *Sayers* and his Lady; and if this had tended to procure me an eaſier Acceſs to Mrs. *Sayers*, it would have been ſuch a Matter of Aggravation againſt me, that it could not have eſcap'd the Remark of the Counſel againſt me, nor the Sharpneſs of the Proſecutors preſent in Court; with both I tranſacted, and to both I appeal'd, particularly to Mr. *Nott*, to whom but the Day before the Accident I manifeſted my Deſire of having them live together again: And therefore, my Lord, it ſhould be preſumed I labour'd to be reconciled, and not to revenge my ſelf on Mr. *Sayers*.

Your Lordſhip, I hope, will obſerve ſo much in my Favour, that it was ſo far from being a clear Fact in the Opinion of the Jury, that they ſate up all Night, and, believing there was no Malice at that Time, told your Lordſhip, they intended, and were inclinable to find it Man-ſlaughter; and doubting the Legality of the Warrant to find it Special.

I hope this will touch your Lordſhip's Heart ſo far, as not to think me ſo ill a Man, as to deſerve what the beſt of Chriſtians are taught to pray againſt, a Sudden Death.

I confeſs I am unprepared; the Hopes of my being able to make a Legal Defence, and my Endeavours therein, having taken up my Time, which I wiſh I had better employ'd, I beg Leave to aſſure your Lordſhip, upon the Words of a Dying Man, that as none of the indirect Practices to get or ſupreſs Evidence were proved upon me, ſo they never ſprang from me; and I can ſafely ſay, that my Blood, in a great Meaſure, will lye at their Door that did it; becauſe

it

it drew me under an ill Imputation of defending my ſelf, by Subornation of Perjury.

I would be willing to do my Duty towards my Neighbours, as well as God, before I die.

I have many Papers and Concerns (by reaſon of my Profeſſion) of my Clients in my Hands, who will ſuffer if they are not put into ſome Order. And nothing but theſe two Conſiderations could make Life deſirable under this heavy Load of Irons, and reſtleſs Remorſe of Conſcience for my Sins.

A ſhort Reprieve for theſe Purpoſes, I hope will be agreeable to your Lordſhip's Humanity and Chriſtian Virtue; whereupon your Lordſhip's Name ſhall be bleſs'd with my laſt Breath, for giving me an Opportunity to make Peace with my Conſcience and God Almighty.

---

*FINIS.*

---

# THE

# True COPY

Of the ORIGINAL

# PAPER

SIGNED BY

## Mr. Richard Noble,

Which he deſigned for his LAST

# SPEECH,

DELIVER'D

To Mr. *Cooke* Curate of *KINGSTON* and Ordinary of *Surry*; Another to Mr. *Broughton* Vicar of *KINGSTON*; and a Third to the Reverend Mr. *L'Herondel*:

WITH

A particular Account of his Behaviour ſome Days before his Execution, by all the aforeſaid Clergy-men.

---

*LONDON*,

Printed for *Samuel Keble* at the *Turk's-Head* in *Fleetſtreet*, and Sold by *John Morphew* near *Stationers-hall*. 1713. Price 2 *d*.

## *An Account writ by* Richard Noble *the Afternoon before his Execution.*

I Have ſince my Confinement (under Sentence of Death) to this very hour, been under the greateſt Expectation of a ſhort Reprieve; eſpecially for that I was credibly aſſured the Lord Chief Juſtice *Parker* had promiſed to grant it for my *Clients* ſake, in caſe they would make Affidavit before him, of their having Papers and Writings in my hands, which Condition (I'm told) was performed on their Part.

If ſuch Promiſe was made, I heartily forgive him, in not performing it.

This Diſappointment I aſſign as the true Reaſon of my being very brief in the Account, which otherwiſe might have been incumbent on, or at leaſt have expected from me, to have inlarged upon.

I have been often told, that it hath been reported I have acted Criminal Indecencies with Mrs. *Salisbury*, and Mrs. *Elizabeth Nevil* (the Mother and Siſter of Mrs. *Mary Sayer*) and that both or one of them were, or was privy to, or countenancing of ſuch unlawful Acts of mine, with the ſaid Mrs. *Sayer*. I think it my Duty, to declare, as I do, that ſuch Report is falſe.

As to the murthering Mr. *Sayer*, I do declare, that Mrs. *Salisbury*, or Mrs. *Sayer*, did not draw the Sword, with which I unfortunately kill'd him: Nor was either of them aiding, directing, or adviſing of ſuch Murther: Nor did either of them open the door, whereat I kill'd him; tho' the contrary hath been ſuggeſted to me by one of the Siſters of the Deceaſed.

I'm told, that 'tis reported I was married to Mrs. *Sayer* whilſt we were in the *Marſhalſea*, and that ſhe hath been with me, ſince my Condemnation. I do declare that ſuch Reports are falſe: And that I never was married to the ſaid Mrs. *Sayer*.

As

As to what relates chiefly to my ſelf, Time won't permit my Saying ſo much as I intended.

I hope that my Dying Words may make a deep and ſenſible Impreſſion on the Minds of ſuch Perſons as may read this Paper, that ſuch as are going on in a Courſe of Sin, may be awaken'd from their Lethargy, and deterr'd from the Continuance, in, or Commiſſion of any known Sin againſt the Living God; but more eſpecially thoſe who have been Partners with me in my Sins.

I would not extenuate or palliate the Crime of Murther which I committed: Therefore muſt ſay, that though the Fact was committed under the greateſt Surpriſe, and without any premeditated Malice or Deſign by removing him out of the World, to have the freer Acceſs to his Wife (which gave me reaſonable hopes of my eſcaping the Juſtice of Human Laws) Yet I muſt own, that the Judgment of God, in bringing me to this deſerved and ſhameful Death, is very juſt; and I do declare, that I never had, nor ever knew that Mrs. *Salisbury*, Mrs. *Sayer*, and Mrs. *Nevil*, or any of them, had any Deſign to kill Mr. *Sayer*, by Poiſon, or otherwiſe.

I have ſecretly and wilfully committed many great, and moſt heinous Sins againſt God, beſides that for which I am now to Dye. God ſuffered me to act thoſe Sins for ſeveral Years, without puniſhing me himſelf, or ſuffering me to fall under the Hand of human Laws. I had frequent Checks of Conſcience to recal and reſtrain me from committing further Sins; but I ſtifled or diverted thoſe good Thoughts, and continued the Practice of my beloved Sins with Pleaſure.

I indeed have made many Reſolutions to God of Repentance and Converſion, but ſoon broke thro' them, which is a great Aggravation of my Offences; and thoſe Sins, and thoſe Aggravations undoubtedly juſtly provoked God to ſuffer me to act that horrid Crime, for which I am now to Dye.

I heartily beg Pardon of the Relations of the Deceaſed, for the Injury done them by the Murder of Mr. *Sayer*.

I heartily beg Pardon of all others that I have injured by any ſecret or open Means.

I heartily forgive every Perſon that has done me any Injury; eſpecially thoſe who ſtrained their Conſciences to affect me on my Tryal. I pray God give them Grace to repent of thoſe and all other Sins; leſt by ſuch and other Provocations againſt God, they deſtroy both their Bodies and Souls.

I have had very good Help and Inſtructions from ſome Worthy *Divines*, and other good Chriſtians that have attended me ſince my Condem-

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# The Right Dying SPEECH and Confeſſion of Mr. *Richard Noble*, and the other Five Criminals, *viz. Nich. Wells*, *Will. Thorne*, *Robert Wells*, *Will. Stanton* and *Jacob Skinner*; who were Executed at *Kingſton* on *Saturday* laſt, the 28th of *March*, 1713.

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## Alſo the true Copy of a PAPER which Mr. *Noble* left with the Sheriff at the Place of Execution.

*RICHARD NOBLE*, Gent. an Attorney of *New Inn*, was Indicted for the Murder of *John Sayer*, Eſq; and *Anne Sayer* and *Margaret Salisbury*, as Acceſſaries. It appear'd that Mrs. *Sayer* having Eloped from the deceas'd her Husband, and robb'd him of at leaſt 1000 *l.* and living in Adultery with the ſaid *Noble*, Mr. *Sayer* got a Warrant to apprehend her, with intent to bring her to Juſtice, and being inform'd that ſhe lodg'd at one Mr. *Twyford's* in the *Mint*, on the 29th of *January* laſt, Mr. *Sayers* took aſſiſtance and went to ſeize both his Wife and Mr. *Noble*, who were at Dinner together with Mrs. *Salisbury*, his Wive's Mother, and Mr. *Sayer* perceiving the Parlour Door to ſtand half open, was going in, when Mr. *Noble* inſtantly ſtabb'd him into the left Pap, of which Wound he immediately died, having never attempted to draw his Sword till after he had receiv'd the wound, when he drew it about 2 Inches, and fell down, at which time Mrs *Sayers* cry'd out, *he's in one of his ſham Fits.* All which Mr. *Sayers* Footman ſwore to, and that Mrs *Salisbury* endeavour'd all ſhe could to prevent Mr. *Nobles* being apprehended, but when he was ſeiz'd, Mrs. *Sayer* obſerving the Mobb to follow him, cry'd out, *My Dear, my precious, my Jewel, will be Murder'd by the Mob.* Mr. *Noble* in his defence alledg'd, that he had no premeditated Malice againſt

## *A True COPY of the PAPER left by Mr.* Noble *with the* Sheriff, *at the Place of Execution.*

*SIR.*

DOubtleſs it's expected that I ſhould make a Speech to the Spectators, but ſuch is my great Concern for the Welfare of my Soul, that I am not compos'd for any other Undertaking; I therefore intreat your Worſhip to cauſe theſe few Lines to be made Publick to the World, which are as follows.

*Dear Country-men,*

I adviſe you all to take warning by this my untimely End, and not to give a looſe to your Carnal Appetites, the fatal Conſequences of which, will inevitably follow all thoſe that give way to the vitious Embraces of ill Women, the which, to my great regret and Concern, has brought me to this Fatal and moſt Diſgraceful End.

I take leave to admoniſh all Mankind to ſhun this fatal Rock that has daſh'd me to pieces, as alſo many Thouſands before me: I find to my ſad Experience, that the lewd Embraces of a wicked Woman moſt juſtly moves the Indignation of Almighty God, and *whoſe Steps lead to the Chambers of Death.*

I muſt own that Madam *Sayer*'s Elopement from her Husband being by a joint Conſent ſtipulated, and a conſiderable Settlement allow'd her by her Husband for her ſeperate Maintenance either by her ſelf, or with whom ſhe pleas'd to co-habit with, induc'd me, being recommended to them to manage their Law-Suits, to yield to her moſt alluring Intiſements, and reitterated Promiſes to make me great and Happy. 'Tis true, the Thoughts of great Gains, as well as her deluding Tongue brought me over to a compliance to all ſhe deſir'd, excepting that one Article of Robbing her Husband, which I never countenanc'd, nor never knew any thing of it till after done: Mr. *Sayer*'s Proſecuting her at Law, oblig'd me to ſtand by her, which mov'd his Reſentment againſt me alſo, and brought me to abundance of Trouble and Expence, by throwing us into the high Court of Chancery, where now it lies undetermin'd, and which my wicked Hands has put a ſtop to.

I had no premeditated Malice, or Thonghts of Killing Mr. *Sayer* when I came to that unfortunate Place, but now am deeply ſenſible, that God Almighty inperceivably throws down his Vengeance upon all Wicked Doers; *Vengeance is mine ſaith the Lord, and I will repay it*: I therefore intreat Madam *Sayer* to make her Peace with Almighty God, by imploring his Pardon and Forgiveneſs for all her moſt heinous Sins, and to reform her Life and Converſation, which will be the only means to obtain Mercy. I heartily forgive her and all the World, and beg forgiveneſs of all thoſe I have injur'd, eſpecially of Mr. *Sayer*, the deceaſed's Brother, deſiring that my Blood may be a full Satisfaction for the Innocent Blood that was ſhed by me. So recommending my Soul to Almighty God that gave it, in hopes to receive Mercy through the Merits and Interceſſion of my Bleſſed Redeemer Jeſus Chriſt our Lord. *Amen.*

*This is a good Account printed by R. Newcomb in Fleetſtreet, tho' not*

Printed by *J. Read* in *White-Fryers* near *Fleetſtreet*.
Price a Penny.

# *The Uncertainty of Humane Life:*

Set forth in a Full and True

# ACCOUNT

OF

A moſt ſad and dreadful Accident, which happen'd on *Wedneſday* the 19th of this inſtant *May*, 1714. in *Three-Crown-Court* in *Crutched-Fryers*, near *Aldgate*, where ſeveral Houſes falling down, Kill'd and Wounded ſeveral Men, Women and Children; With a Godly Prayer againſt ſudden Death, and other pious Exhortations.

THE Scripture, in ſundry Places Places, treating on the Uncertainty of this mortal Life, compares it to *Smoak*, *a Vapour*, *a Flower*, *Graſs*, *a Weaver's Shuttle*, and to ſeveral other Things, which denotes the Brevity of humane Nature: Therefore conſidering that Mankind has but one way to go out of it, it behoves us always to be prepar'd for Death ſince *we know not* (as the great Apoſtle of the Gentles hint) *in what Hour it may come upon us*. And oftentimes when we leaſt think of Death, he may be the neareſt to us, as in that Diſaſter which befell *Job*'s Children, for *there came a great Wind from the Wilderneſs, and ſmote the Four Corners of the Houſe, and it fell upon the young Men, and they are Dead. Then* Job *aroſe and rent his Mantle, and ſhaved his Head, and fell down upon the Ground and Worſhipped, and ſaid, Naked came I out of my Mother's Womb, and Naked ſhall I return thither: The Lord gave, and the Lord hath taken away; Bleſſed be the Name of the Lord.* Job 1. 19, 20, 21.

Thus a moſt ſad and dreadful Diſaſter happen'd in *London*, on *Wedneſday* the 19th of this inſtant *May*, when betwixt the Hours of Seven and Eight in the Morning, three Houſes in *Three Crown Court*, in *Crutched-Fryers*, near *Aldgate*, after they had given a great Crack, which frighten'd the adjoyning Neighbourhood, in the ſudden Fall thereof one Mr. *Turner* a Tideſman, a very honeſt Perſon was Kill'd juſt as he had put on his Breeches, to have run out of his Houſe, in hopes to have avoided this unfortunate Death.

The Woman in the next Houſe to him, who was a Bricklayer's Wife, who was alſo kill'd, and in the other Houſe a young Child loſt its Life, beſides ſeveral others being Wounded; and ſome Perſons being ſtill miſſing, 'tis fear'd they are Periſh'd in the Ruines; which Bricklayers and Labourers are removing with all ſpeed, to find 'em; and what is more remarkable, it is but Fourteen Years ago that the like Accident happen'd in this ſame very Court before.

## A PRAYER to be us'd againſt Sudden Death.

*O! moſt Merciful Father, the Author and Giver of Life, be pleaſed to protect us ſo far under the Shadow of thy Holy Wings, that Death may not ſuddenly ſnatch us away; and grant us thy Grace, whereby we may keep thy Holy Laws and Commandments, in order to be Prepar'd againſt Death hath his Commiſſion to bring us our Laſt Summons. From ſudden Death, O! Lord, deliver us; for the ſake of thy bleſſed Son; to whom be all Honour and Glory, now, and for evermore.* Amen.

Printed for *J. Sunwood*, near *Southwark*.

OR, THE

# Happy Work Compleated at last.

Exemplified in ſome Glorious Paſſages of the LIFE of QUEEN *ANNE*. Her Victories over Her Enemies both at Home and Abroad. Together with Her moſt Gracious SPEECH to Both Houſes of Parliament, on *Friday*, *June* the 6th, 1712. With the Articles of PEACE. *Licenſed according to Order.*

WHom Heaven deſigns to Protect, neither the Malice or Art of the Wiſe, or the wretched Deſign of Fools can Protect. She who in God deſigns to have Cut out and ordain'd for the Preſervation of *Great-Britain*.

The Princely Race She was Born of, having always been juſtly eſteem'd the Defenders of the Faith, and Redeemers of the *Church*, which She has abundantly manifeſted in theſe Times, Viſible to the Eye of the whole Nation, and Undeniably own'd by Her very Enemies.

Her particular Regard to *Piety*, and Her Zeal in the Defence of the National Religion, will render Her Glorious as well to Heaven as Mankind. The begining of Her Reign was ſpent in Conqueſt, and Subduing Her Enemies, and the latter part of it in Giving *PEACE* both to Her Friends and Enemies.

It is *ANNA* now that Sets the *Bounds* both to Peace and War; it is upon *ANNA* the Eyes of all *Europe* is fix'd, and the greateſt Nations expect Peace or War from from Her Frowns or Smiles.

She knew the Nation in want of Peace; She knew Her Subjects were buithen'd with War, and both together rouz'd Her Generous Soul to Reſcue *Europe* from Bonds, and Thank all *Europe*.

[illegible] Speech.

*France* is to be Declared, after the Death of the preſent *Dauphin* and his Sons, to be in the Duke of *Berry* and his Sons, in the Duke of *Orleance* and his Sons, and ſo on to the reſt of the Houſe of *Bourbon*.

As to *Spain* and the *Indies*, the Succeſſion to thoſe Dominions, after the Duke of *Anjou* and his Children, is to Deſcend to ſuch Prince as ſhall be Agreed upon at the Treaty, for ever Excluding the reſt of the Houſe of *Bourbon*.

For Confirming the Renunciations and Settlements before mentioned, is is further Offered, That they ſhall be Ratified in the moſt ſtrong and Solemn Manner, both in *France* and *Spain*, and that thoſe Kingdoms, as well as all the other Power engaged in the preſent War, ſhall be Guarrantees to the ſame.

The Nature of this Propoſal is ſuch that it Executes it ſelf. The Intereſt of *Spain* is to Support it; and in *France* the Perſons to whom that Succeſſion is to belong, will be Ready and Powerful enough to Vindicate their own Right.

*France* and *Spain* are now more Effectually Divided than ever. And thus, by the Bleſſing of God, will a Real Balance of Power be fixed in *Europe*, and remain liable to as few Accidents as Human Affairs can be Exempted from.

A Treaty of Commerce between theſe Kin[gdoms] and *France* has been Entred upon; For the E[xchange] and ſome Goods, and the Prohibi[tion]

the Fort of *Kehl* and *Landau*, and to Raze all the Forreſſes, both on the other ſide of the *Rhine*, and in that River.

As to the Proteſtant Intereſt in *Germany*, there will be, on the part of *France*, no Objection to the Reſettling thereof on the Foot of the Treaty of *Weſtphalia*.

The *Spaniſh Low Countries* may go to His Imperial Majeſty, the Kingdoms of *Naples* and *Sardinia*, the Dutchy of *Milan*, and the Places belonging to *Spain* on the Coaſt of *Tuſcany*, may likewiſe be Yielded by the Treaty of Peace to the Emperor.

As to the Kingdom of *Sicily*, tho' there remains no Diſpute concerning the Ceſſion of it by the Duke of *Savoy*, yet the Diſpoſition thereof is not yet Determined.

The Intereſts of the States-General, with reſpect to Commerce, are Agreed to, as they have been Demanded by their own Miniſters, with the Exception only of ſome very few Species of Merchandize, and the Entire Barrier, as Demanded by the States, in Seventeen hundred and nine, from *France*, except Two or Three Places at moſt.

As to theſe Exceptions, ſeveral Expedients are pro[poſed] [that] his Barrier may be [ſe]ck perfectly Se[cure] part of *France*, [en]gagements [in]

POSTSCRIPT
St. JAMES's
BEING A
To the Paper of

TO THE
POST.
SUPPLEMENT
this Day. N° 133.

MONDAY, Nov. 28. 1715.

# This Day arriv'd a Mail from SCOTLAND.

Edinburgh, Nov. 22.

WE have receiv'd Advice from the North, That the Earl of Sutherland having got together about 3000 Men, has retaken the Town and Caſtle of Inverneſs from the Rebel Clans of Mackenzies, the Earl of Seaforth's Men, who took it ſome time ago at the beginniog of the Rebellion; as alſo the Towns of Elgin, Peterhead, Fortroſe, Frazerburgh, and others, and was in full March towards Aberdeen, from whence he wou'd proceed to Montroſs, Dundee, and Perth, and by ſuch means ſtrengthen the Rebels one ſide, whilſt the Duke of Argyle, with the regular Troops will be at the greater liberty to Attack them on the other ſide from Stirling.

The Earl of Mar continued at Auchteraedir and thereabouts, with part of his Men, (the reſt being fled to Perth, and further, after the Battle) till laſt Wedneſday in the Evening, when he arriv'd there himſelf, where he now is with the other Chiefs of the Rebellion, and at Crieff, except General Gordon and the Clans who continue ſtill at Auchterardir and Tullibardine, being all buſily taken up in gathering together again their broken Forces, and Re-inliſting even their Deſerters and Run-aways, with a Deſign to make ſomething of a Stand ſtill, if they can; but the Deſertion among them rather encreaſes then leſſens, and, even now among the Highlands as well as the Lowlands: And 'tis ſaid, That the Marquis of Huntley as well as the Earl of Seaforth, are return'd to their own Country in the Highlands, to look after their own Affairs, in oppoſition to the Earl of Sutherland, who threatens to Invade and Diſtreſs them: And the Earl of Mar himſelf being apprehenſive that he ſhall not only be unable to make any farther Attempt to advance South, but be obliged even to quit Perth, and retire to the North. is preparing to leave the Countries on this ſide the River Tay, deſolate, by raiſing Money illegally, Plundering the Goods, forcing away Men, and all otherways he can, that the King's Troops may find nothing to ſubſiſt, when they come in purſuit of him there, and he be able to maintain himſelf againſt them ſo much the longer. On all Hands, 'tis agreed, That the Affairs of the Rebels are very much Diſtracted, eſpecially ſince they have heard the Fate of their Friends in Lancaſhire.

The D. of Argyle continues at Stirling, and has Cauton'd his Horſe in the Country there abouts, but the foot remain with him in the Town, waiting till he be reinforc'd; after which he will march towards Perth, to Act in Concert with the Earl of Southerland who is expected to march that way, 1500 of the Dukes own Argyleſhire Men have join'd him who tho' Militia, Yet being Highlanders will be good enough againſt Highlanders,

The Earl of Forfar continues at Stirling Ill of his Wounds, which except a ſhot in his Knee are not very dangerous, and there are hopes that even, that may be Curable. The Earl of Iſla, is ſaid to be paſt danger.

We have juſt receiv'd Advice by Land, that a good part of the Dutch Troops are paſs'd by Hull in their way hither.

London, Nov. 28. They write from Mancheſter of the 24th, That General Wills was expected there that Night, with the Regiment of Horſe of Pitts and Preſton's of Foot, and Colonel Newton's Regiment of Dragoons is order'd to York. The Priſoners of the common Sort, who remain at Preſton, will be diſtributed in the Goals thereabouts.

By an Expreſs which arriv'd this Day from Guernzey, diſpatch'd thence by Colonel Spicer Deputy Governer on Thurday laſt, there is advice, that three Ships were Sail'd from St. Maloes, having Arms, Amunition &c. on board, and were ſaid to be deſign'd for Guinea, one of which has been loſt on the Coaſt, and all on board her Periſh'd The other two proceeded on their pretended Voyage, having on board ſeveral Paſſengers which ſeem'd of Diſtinction.

*This Day Dorrel, Gordon and Cure receiv'd Sentence of Death as Traytors.*

*London*: Printed -kow. *Price Three Half pence.*

*Newgate's* GARLAND:

BEING

# A NEW BALLAD,

SHEWING

How Mr. *Jonathan Wild's* Throat was cut, from Ear to Ear, with a Penknife by Mr. *Blake*, alias *Blueskin*, the bold Highwayman, as he ſtood at his Trial at the Old-Bailey.

*To the Tune of,* The Cut-purſe.

1.

YE Fellows of *Newgate*, whoſe Fingers are nice,
In diving in Pockets, or cogging of Dice,
Ye Sharpers ſo rich, who can buy off the Nooſe,
Ye honeſter poor Rogues, who die in your Shoes,
Attend and draw near,
Good News ye ſhall hear,
How *Jonathan's* Throat was cut from Ear to Ear;
How *Blueskin's* ſharp Penknife hath ſet you at Eaſe,
And every Man round me may rob, if they pleaſe.

2.

When to the Old-Bailey this *Blueskin* was led,
He held up his Hand, his Indictment was read,
Loud rattled his Chains, near him *Jonathan* ſtood,
For full forty Pounds was the Price of his Blood.
Then hopeleſs of Life,
He drew his Penknife,
And made a ſad Widow of *Jonathan's* Wife.
But Forty Pounds paid her, her Grief ſhall appeaſe,
And every man round me, may rob, if they pleaſe.

3.

Some ſay there are Courtiers of higheſt Renown,
Who ſteal the King's Gold, and leave him but a Crown,
Some ſay there are Peers, and ſome Parliament Men,
Who meet once a year to rob Courtiers again.
Let them all take their Swing,
To pillage the King,
And get a Blue Ribbon inſtead of a String.
Now *Blueskin's* ſharp Penknife hath ſet you at Eaſe,
And every man round me may rob, if they pleaſe.

4.

Knaves of Old, to [illegible]e Guilt, by their cunning Inventions,
Call'd Briberies Grants, and [illegible] plain Robberies Penſions;
Phyſicians and Lawyers (who take their Degrees
To be Learned Rogues) call'd their Pilfering ---- Fees;
Since this happy Day,
Now ev'ry Man may
Rob (as ſafe as in Office) upon the High-way.
For *Blueskin's* ſharp Penknife, *&c.*

5.

Some cheat in the Cuſtoms, ſome rob the Exciſe,
But he who robs both is eſteemed moſt wiſe;
Church-Wardens, who always have dreaded the Halter,
As yet only venture to ſteal from the Altar:
But now to get Gold,
They may be more bold,
And rob on the High-way ſince *Jonathan* 's cold.
For *Blueskin's* ſharp Penknife, *&c.*

6.

Some, by publick Revenues, which paſs'd through their Hands,
Have purchas'd clean Houſes, and bought dirty Lands,
Some to ſteal from a Charity think it no Sin,
Which, at home (ſays the Proverb) does always begin;
But, if ever you be
Aſſign'd a Truſtee.
Treat not Orphans like Maſters of the Chancery,
But take the High-way, and more honeſtly ſeiſe,
For every Man round me may rob, if they pleaſe.

7

What a Pother has here been with *Wood* and his Braſs,
Who would modeſtly make a few Half pennies paſs?
The Patent is good, and the Precedent 's old,
For *Diomede* changed his Copper for Gold:
But, if *Ireland* deſpiſe
Thy new Half-pennies,
With more ſafety to rob on the Road I adviſe.
For *Blueskin's* ſharp Penknife has ſet you at Eaſe,
And ev'ry Man round me may rob, if they pleaſe.

*FINIS.*

THE

# Ordinary of *NEWGATE*

HIS

# ACCOUNT

OF THE

## *Behaviour and laſt dying Words*

OF

## Edward Bird, Gent.

Who was Executed at TYBURN on *Monday* the 23d of *February*, 171⅘, for the

# MURDER

OF

## *SAMUEL LOXTON*,

At the Bagnio in *Silver-ſtreet, Weſtminſter.*

*LONDON*

Printed for *J. Jefferies*, and ſold by *S. Briſcoe* near Mr. *Miſt's* in *Great Carter-lane*. Price 2*d.*

THE

# Ordinary of *NEWGATE*

## His Account, &c.

*Edward Bird*, Gent. condemn'd for the Murder by him committed on the Perſon of *Samuel Loxton*, a Servant in Mr. *Seedwell*'s Bagnio in *Silver-ſtreet*, in the Pariſh of St. *James Weſtminſter*, on the 25th of *September* laſt.

This Mr. *Bird*, aged about 27 years, ſaid to be born of wealthy Parents at *Old Windſor*, was well brought up by them, who gave him a Chriſtian and Gentleman-like Education. They put him early to the Care and Inſtruction of the late Reverend Dr. *Busby*, Maſter of *Weſtminſter* School; and thence, when pretty well advanc'd in his Learning, remov'd him to *Eaton* College. After ſome ſtay there, they finding his Inclination was to ſee the World abroad, fitted him out for his Travels; and then he made a Tour in *France*, and went alſo into *Italy*, &c. When he had ſpent ſome time abroad in foreign Countries, and ſeen variety of Things (which, whether he improv'd and made good uſe of, or no, I ſhall leave to the Judgment of others) he return'd into *England*, and not long after had a Lieutenant's Commiſſion in the Regiment of Horſe commanded by the Lord Marqueſs of *Wincheſter*. Before this, he had in a great meaſure, given himſelf up to a vicious Courſe of Life; and his evil Inclinations growing ſtronger in him, he at laſt abandon'd himſelf to all manner of Lewdneſs and Debauchery; the Conſideration whereof I put cloſe to him, endeavouring to bring him to a due Senſe and true Repentance of his paſt Follies. And here I put him in mind likewiſe of his ill Uſage to a Virtuous Gentlewoman he formerly married, defiling the Marriage-Bed, &c.

While I was laying theſe things, and many more of a heinous nature, before him, and telling him, that the World abroad rung of them, he deny'd them not; but ſaid, he was not guilty of *Murder*, the Crime he ſtood condemn'd for; and that, as to other Sins, he had begg'd Pardon of GOD for them, and did not doubt of his Mercy. Many private Admonitions and Directions I gave him, and offer'd to pray by him in his Chamber, which I did when he gave me leave; but very often he deſir'd me to ſpare that part of my Service, becauſe he was very buſy, was to write Letters, expected Company, and ſuchlike frivolous Excuſes.

All

All the time he was under Confinement in *Newgate*, I could not perſwade him to come to Prayer, and hear the Word of GOD in the Chapel, which he might have had an Opportunity to do twice every day for the moſt part of that time; which was between the 26th of *September* laſt and this Day of his Execution. And the Reaſon of his ſo long Confinement before he was brought to his Trial, is this.

When he ſhould have been try'd at the Seſſions held in the *Old-bailey* in *October* laſt, he pleaded he was not ready for his Defence, and ſo his Trial was put off to the next Seſſions, to be held in the Month of *December* then following: But before that time came, he falling ſick, and the Phyſicians, who viſited him, making Affidavit, that he was not in a fit Condition to be remov'd out of his Chamber, the Court did again defer his Trial to the Seſſions beginning on *Thurſday* the 15th, and ending on *Monday* the 19th of *January* laſt. Then he was arraign'd, try'd, and convicted of *Murder*, and accordingly receiv'd Sentence of Death.

After this I repeated my Viſits to him, and deſir'd to have been more frequent than before in them; but I found him always ſo buſie, ſometimes in Writing, and at other times with Company, that I could hardly have any Opportunity to ſpeak to him of his Future State. Nevertheleſs I endeavour'd to prepare him for his great Change, and for a better Life, by perſwading him ſincerely to repent of all the Sins he had committed in this, and earneſtly to pray for GOD's Pardon and Mercy, through the nfinite Merits of CHRIST: Which if he did not now he had time for it, I deſir'd him ſeriouſly to conſider what might become of him to all Eternity. To this he ſeem'd to give a little Attention; but ſomething coming into his Mind which he ſaid he muſt do preſently, he deſir'd me to leave him; ſaying, he would ſend for me another time, when he was at leiſure. Accordingly he did, but when I came to him, I found he had not ſent for me to pray by him, or diſcourſe him about Divine Matters, but only to ſhew me the Draught of a Paper which he ſaid he had prepar'd by the help of a Friend, and which he intended to publiſh. Upon this, after I had (as he deſir'd I ſhould) read it, I told him plainly, that the Drift of that Paper, being to inſinuate he had not Juſtice done him at his Trial, he muſt not think that the World would believe him to be (as he endeavour'd to appear) innocent of the *Murder* he was condemn'd for.

Having freely declar'd my Mind to him in this Matter, and that according to my Judgment (who was at his Tryal, from the beginning to the end) I thought him juſtly convicted of that *Murder*; and that I would adviſe him to reflect upon none but himſelf, who would certainly (if he did Impartially conſider the thing) acknowledge his Guilt, and repent of it. At this he ſeem'd to be uneaſie; but I told him, That though I was very unwilling to offer any thing to a Gentleman that might grate upon his Spirit, or be unacceptable to him; yet it was my Duty to make his Sins as odious to him as I could, in order to bring him to a juſt Abhorrence and Deteſtation of them; adding, That if he would

would pleaſe to conſider the vicious Steps that had led him to this barbarous Crime, he would find abundance of Sins (beſides this) to repent of; which he muſt do before he dy'd, or elſe be eternally undone. To this he ſaid but little, and ſo I left him for that time.

When I came to him afterwards, ſometimes (if it was in the Morning) he deſir'd me to come in the Afternoon: And if in the Afternoon, to come the next Morning; ſo he did induſtriouſly endeavour to trifle away his Time, and ſet aſide all Thoughts of his approaching Diſſolution.

On *Saturday* laſt I exhorted him to come the next day to the Chapel, and apply himſelf entirely to holy Meditation, Prayer, and hearing the Word of GOD with due Attention and ſincere Devotion; but I could not perſwade him to come, nor indeed at this time to let me pray by him; he alledging, his Head was ſo full of *other Matters*, that he could not mind any thing elſe, and thoſe *other Matters* (which related to his Tryal) were contain'd in a printed Proof of a Paper (not that before mention'd) which he ſhew'd me, and which he ſaid he was now correcting, in order to be put to the Preſs.

Yeſterday being the Lord's Day, I viſited him in his Chamber, and did the like this Morning; when underſtanding that he had the Night before took a Doſe of Poiſon, and after that ſtabb'd himſelf in ſeveral places, I told him, that I was ſorry to hear he had added Sin to Sin, by attempting to commit a freſh *Murder*, and that too upon himſelf: To which he reply'd, That *he did not think it a Sin, becauſe he was to die.* Whereupon I endeavour'd to make him ſenſible he had no Power over his own Life; and, that by this he put himſelf in danger of carrying his Guilt unrepented of into another World.

As there was all along great Endeavours us'd to ſave his Life, ſo I obſerv'd to him, that neither the Sollicitations of his Friends, nor his own Attempts upon himſelf, were able to prevent GOD's juſt Judgments againſt *Murder*, &c.

At the Place of Execution, whither he was this Day carry'd in a Mourning-Coach, I attended him for the laſt time; and when he was remov'd out of that Coach, (wherein he had ſtay'd about an Hour with his Mother after his Arrival there) I pray'd with him in the Cart, gave him ſome Exhortations, ſung a Penitential Pſalm, made him rehearſe the Apoſtles Creed; and then wiſhing him *that Life* he had made Profeſſion to believe, I retir'd from him.

One of the 3 *Clergymen* that went with me to ſee the Execution did ſtep into the *Cart* when I was come away, but could work no Good on him; who, inſtead of applying himſelf to his Devotion, and deſiring the Spectators to pray for him, and take Warning by him, turn'd himſelf firſt one way, then another, and call'd for a Glaſs of Wine; but being told *it could not be got there for him*, he deſir'd a *Pinch of Snuff*; and taking it, he bow'd to the Gentlemen near the Cart, and ſaid, *Gentlemen, I wiſh your Health.* After this he was ty'd up, turn'd off, and bled very much at the Mouth or Noſe, or both.

*This is the melancholy* Account *here to be given of this* Dying Perſon, *by me*

*Monday*, Feb. 23. 171½.

PAUL LORRAIN, *Ordinary.*

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ROBERT WHITLEDGE, at the *Bible and Ball* in *Ave-Maria-lane*, Selleth all ſorts of Bibles and Common Prayers, *viz.* The Three new large Folio Bibles, printed at *Oxford*: The Engliſh and French Common Prayer: All ſorts of Common Prayer-books, illuſtrated with *Sturt*'s Cuts, *Vander Gucht*'s beſt Cuts or painted Cuts (rul'd or unrul'd) or without; bound in Shagrine, with Silver Work or without, or in any other manner of Binding: Neat Pocket Bibles, with the *Cambridge* Concordance: Books of Devotion, the Sacrament, Hiſtory, *&c.* And all ſorts of Bibles, Common Prayers, and other Books for the Uſe of Charity (and other) Schools. Likewiſe the Statutes at large, Books of Homilies, Duty of Man, *&c.* and Letter-Caſes of all ſorts, by Wholeſale and Retail. *Note*, Alſo Welſh Bibles and Common Prayers.

*In the Preſs, and will ſpeedily be Publiſh'd, the 5th Edition of*

THE Works of Mr. *Tho. Brown*, Serious, Moral, and Comical, in Proſe and Verſe, with his Amuſements; adapted to the *Meridian* of *London*, at the preſent Time: And Letters from the Dead to the Living, corrected from the Errors of the former Impreſſion; adorn'd with beautiful Cuts, newly deſign'd and engrav'd by the beſt Maſters. To which is added, The Life and Character of Mr. *Brown*, and his Writings: Now recommended to the Publick by Sir *Richard Steel*. In 4 neat Pocket-Volumes, on a new Elzevir Letter.

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THE Purchaſer's Pattern, in 2 parts; 1. Shewing the true Value of Land or Houſes, by Leaſe, or otherwiſe. Whereunto is added many Rules for the valuing of the ruin'd Foundations in the City of *London*, and for the compoſing of Differences between Landlord and Tenant about rebuilding them, alſo Rules and Tables for the valuing of all Party-walls; with Tables of Intereſt and Rebate at 6 *per Cent.* 2. The meaſuring of Land, Board, Timber, *&c.* correcting the falſe ways uſed by many therein; alſo the Art of Gauging much enlarg'd, ſhewing not only the meaſuring of Wine, Beer, and Ale-Veſſels, but alſo the gauging of all manner of Brewers Tuns: with Tables of the Exciſe of Beer and Ale. Alſo many other Rules and Tables of Weights and Meaſures, Foreign and Domeſtick. Tables of Accompts, Expences, *&c.* The 6th Edition; By *H. Phillips*. Philomath. Printed for *E. Symon*, the Corner of *Popes head alley* in *Cornhill*.

515. 225

# THE REPRESENTATION OF JOHN NETHERTON, *late of* Plymouth, *in the County of* Devon. *Gent.*

*Humbly Sheweth.*

THAT the Beginning of laſt Summer, being the Year 1736, it was inſerted in the common News-Papers, that one *Thomas White*, as he called himſelf (ſince known to be *Caſey*) committed a Robbery in *London*, on Mr. *Godde*, the King's Sadler, and was taken in the Fact, and was, upon a Commitment of *Thomas De Veil*, Eſq; his Majeſty's Juſtice of the Peace for the County of *Middleſex*, ordered to *Newgate*; however, by the Aſſiſtance of ſome of his ſuppoſed Accomplices, was reſcued from the Officers who were conveying him thither.

SOON after this, your Repreſentant (having been educated in Phyſick, juſt arrived from Foreign Parts, being on a Journey tranſacting his private Affairs (happening to be at *Canterbury* (by a Paragraph in a common News-Paper) was ſeiz'd by a Conſtable at a publick Dinner, on Suppoſition that your Repreſentant was the ſaid *Caſey*, the Perſon before-mentioned to have been accuſed of Felony, and was immediately hurried away before the Mayor of the Town, and by him forthwith committed to a Goal and Hand cuffed.

THAT your Repreſentant not being able, as he was then Two hundred and ſixty Miles from the Place of his Nativity, and from any Friend or Acquaintance whereby to get Bail, or to give that Satisfaction which was inſiſted on, ſo was obliged to ſubmit himſelf to the Hardſhips of a Priſon, though no poſitive, or even circumſtantial Proofs, was given againſt your Repreſentant, but merely that he was *Caſey*, becauſe his Dreſs, in ſome Meaſure, anſwered to the Repreſentation given of the ſaid *Caſey* in a common News-Paper.

ACCORDINGLY Mr. *Gray*, then Mayor of *Canterbury*, forthwith gave Intelligence to Juſtice *De Veil* in *London*, who had ordered the ſaid *Caſey* to *Newgate*; whereupon the ſaid Juſtice ſent down a Meſſenger to *Canterbury*, who was ſo vile and preſumptive to ſwear, that your Repreſentant was the ſaid *Caſey* that was reſcued, as above related, though your Repreſentant produced his Pocket-Book, Letters, *&c.* to prove the contrary, which was all the Teſtimony he, under his then Circumſtances, could produce.

WHEREUPON, by an Order from the Mayor, your Repreſentant was remanded back to Goal, upon the falſe Affidavit made by the Meſſenger ſent by the ſaid Juſtice, and conveyed through the City, both his Hands Ironed behind him, attended with a very numerous Mob, and treated with much greater Hardſhip and Rigour than before, being immediately loaded with Irons, fettered, and hand-cuffed, and denied the Uſe of Pen, Ink, and Paper, and confined in a dark, diſmal Dungeon, for the Space of fifty-ſix Days; but then obtained Liberty to diſpatch Letters (firſt communicating the Contents of them to the Magiſtrates of the Town) to his Friends, in order to convince the World of the fatal Miſtake to him that had been made, and of his real Innocency. Accordingly your Repreſentant ſent a Letter to a Gentleman, his Friend, in *London*, who immediately, on Receipt thereof, went to Juſtice *De Veil*, the Magiſtate who had commited the ſaid *Caſey*, and gave him ſuch convincing Reaſons, that your

your Repreſentant was wrongfully confined, as induced the ſaid Magiſtrate to write with his own Hand to Mr. *Gray*, then Mayor of *Canterbury*, where your Repreſentant was impriſoned, with an Account of the ſatisfactory Relation he had received, and adviſed him to ſet your Repreſentant at Liberty. Accordingly this Gentleman, your Repreſentant's Friend, took Coach and came down forthwith to *Canterbury*, with the Letter from the ſaid Magiſtrate, hoping to releaſe your Repreſentant; but the Mayor, *&c.* fearing the Letter might be a Forgery, or Stratagem, to reſcue again this ſuppoſed Felon from the Hands of Juſtice, detained the Gentleman, the Bearer, likewiſe, for the Space of two Days, until an Expreſs came from *London*, from Juſtice *De Veil*, to the contrary.

THAT in this miſerable and deplorable Condition your Repreſentant was confined in a dark, diſmal Dungeon, loaded with Irons, for the Space of fifty-ſix Days, as aforeſaid; and then, by Advice, obliged to remove himſelf (by *Habeas Corpus*) to the *King's-Bench-Bar* at *Weſtminſter* (at his own Expence) where he was juſtly and honourably acquitted.

THAT your Repreſentant, by this expenſive, cruel, and barbarous Confinement, is totally deprived of Means whereby to obtain Reparation in a judicial Manner (being intirely ruined, and reduced to the greateſt Extremity and Want) ſo that he has no other Means at preſent whereby to ſubſiſt, or to be reinſtated in his former happy Condition, ſave by the Aſſiſtance and Commiſeration of ſome Charitable Benevolence.

N. B. *To the Confirmation and Truth of all which, your Repreſentant humbly appeals to the News-papers and Records; likewiſe to his atteſted Repreſentation, and Copies of his Commitments.*

# *NETHERTON's* REPRESENTATION OF HIS SUFFERINGS AT *CANTERBURY.*

*The* Effigies, Parentage, Education, Life, Merry-Pranks *and* Converſation *of the Celebrated*

# Mrs. SALLY SALISBURY;

SALLY SALISBURY, the celebrated *Subject on which* I'm about to treat was a Girl of mean extract, as will appear by the following Relation. But ſuch is the Prevalency of Wit, Youth, and Beauty that they attract many Admirers and too often Captivate the Affections of great and wiſe Men, who being hurry'd away by Senſuality, follow the Bruitiſh Inclinations of inordinate Paſſion, for which they Generally pay very dear, but to proceed. Mrs. *Salisbury* is ſaid to be the Daughter of one *Brickle*, by ſome called *Britain*, a Briklayer, who when SALLY was born, lived at *Shrewsbury* in *Shropſhire*, but as we hear through misfortune lives now in the *Mint*, a Man of pretty good Reputation tho' Poor. She is reckon'd to be between Thirty and 40 Years of Age, and ſtill ſo handſom in her Perſon as you may ſee by her Effigies) that I could wiſh that her Mind was within ſixty nay an hundred degrees thereof. it's ſaid that her Beauty ſhone very bright about the Age of five or ſix when being at School her ready Wit and quickneſs of Apprehenſion gave very early proofs of her extrordinary Parts, and of her being a very wonderful Woman for in ſhort ſhe ſoon out-ſtript the whole School as well at her Needle as her Books in a Word ſuch was her bright Genius that ſhe learnt every thing unleſs 'twas the *Practice of Piety* and to walk in the Paths of *Virtue*, to which moſt believe her Natural Inclinations made her almoſt a Stranger, the giving very much the Looſe to her Paſſions. About the Age of Nine or Ten her fieryneſs of Natural Diſpoſition began to encreaſe to ſuch height that neither her Miſtreſs Father or Mother were capable of ruling her, for as 'tis ſai'd, ſhe was never curb'd by them but ſhe fell into ſuch Paſſions, that rarely ended without her being in Fits; ſo that her moſt violent Spirit forc'd her to relinquiſh her Parents, by making an Elopment from them this we are told happenned about the 11th Year of her Age, when not having Judgment enough to diſpoſe of her ſelf as ſhe ought by going to Service &c. She as we hear, uſed to lurk about the Keys and ſome alledge play the ſlight of hand with *Sugar* &c. but this I can very hardly credit, it being ſomething beneath the haughtineſs of her Spirit, for ſhe was Naturally very Proud.

However, be that as it will, it was not long before ſhe, by frequenting the Keys, Gates, *&c.* learn'd to buy and ſell Fruit as Oranges, *&c.* and hereupon getting a few Cloaths and dreſſing neat, made it her common Practice to attend the Play houſe for the ſale of her Oranges, where before ſhe was fourteen ſhe became Remarkable for her Beauty and good behaviour, and had ſeveral Admirers. But ſome, by Reaſon of her mean Fortune not Courting her ſo much for a Wife as to debauch her and ſhe hoping to better the others offer, none at that Time ſuited her fancy; at length ſome of the Actors obſerving her Beauty adorn'd with a pleaſing deportment and comely Mien, made a propoſal to have her taken in for an Actreſs, which being granted, and ſhe complying with, perform'd very cleverly, for ſhe had as aforeſaid good natural Parts, Senſe and behaviour, ſo that it was not long before ſhe was highly admired on the Stage where ſhe made a very conſiderable Figure; in this poſture ſhe remain'd for ſome time without any Slur or Blemiſh to her Reputation; at length a Wealthy Merchant, whoſe Name, in reſpect unto his Family, we ſhall forbear to mention, taking a very great liking to her, courted as we ſay, both Day and Night till at laſt he prevail'd upon her to live with him as Man and Wife, whether they were ſo or not, it being not proper for me to determine, I leave, leave you to gueſs. In this Condtion ſhe did not live long before the Merchant carried her into *Holland*, where ſhe liv'd ſome Time very comfortably with him at laſt the Gentleman died (as we're inform'd) and gave her a Legacy of a few Pipes or Hogſheads of Wine, with which ſhe return'd again to *England*.

Upon her Return ſhe was much courted by ſeveral of her Acquaintances but having now pretty well increaſed her Fortune ſhe began (as the ſaying is) to make Orts of better Hay than ſeveral of her former Adorers, which before ſhe would have been glad to have accepted, in an honourable way. However not to loſe time, ſhe determined to ſet up a Coffee-Houſe which ſhe did, and liv'd a conſiderable time in pretty good Reputation, but at laſt being led aſide by one Colonel *Salisbury* (who moſt People ſay ſhe ruin'd the poor Gentleman being reduc'd ſo low as to make his exit in the *Fleet Priſon*,) She in his time Feather'd her Neſt very well; But what may here ſerve for a *Caveat* to all unthinking People is: that tho' ſhe had gotten the major Part of his Subſtance, ſhe ſent him but very little if any Relief during his Impriſonment, and yet ſhe was ſo much his Darling as to be call'd after his Name.

We have hitherto I'm perſwaded, trac'd the Life of this young Lady with the greateſt Impartiallity imaginable; I muſt now beg leave to ſay, I wiſh her Actions were weigh'd in the ſame Scales; but alas! the Beauty of the Body does not Faſhion the Soul, but quite the reverſe, for how many very pretty Women do we ſee render'd deform'd by the Vicious habits they have contracted; do'nt miſtake me, I'm not going to Accuſe Mrs *Salisbury* of the Crimes which are common to Town Coquets, or the Ladies of *Drury*, far from me be it ſo to act; for I cannot ſay that ever I heard ſhe was a common Strumpet, a Street or Night-walker that would embrace every lewd debauch'd Fellow ſhe could make a Prey of; no ſhe was ſurely unaquainted with thoſe ſort of ways, ſhe underſtood neither their Manners nor their Cuſtoms, their Cant nor their Converſation, by a diſcreet (or immodeſty may be upon any ſcore be call'd diſcretion) Deportment won the Ears Eyes and Hearts of her beholders, and having captivated the Affections of ſeveral made that her Tool, which ſhe thought moſt engaging and beneficial; I can't here paſs by ſome Reflections on thoſe raſh, giddy, hair-brain'd hot ſpurſiery Gallant who following the dictates of an airy empty ſilly Reakiſh fancy Sacrifice both Life, Fortune and Reputation to an idle empty and ſilly humour, which every Rational Perſon, who will give himſelf the Liberty of thinking, muſt ſoon be convinced will lead him to nothing leſs than an intire Deſtruction, not only of Fortune, Life, Health or Reputation which is ſtill more Dear but even of that which is to be valued above all things viz. His Immortal Soul. For I beg you rigthly to weigh and conſider, of what Value are the vain Momentary Pleaſures of this Tranſitory Life, when decaying old Age ſhall ſound the alarm, to bid us prepare for the grand Metamorphis of Nature? Nature I ſay, Nature then will ſhrink, and Triumphing REASON will ſay, what has my Beauty, my Wit and my youthful Allurements brought me to? Oh! Oh! That this ſhape of mine had been an intire diſproportion and that my Reaſon at preſent had been *Dominus Domi*, how happy had I been? Our pretty ſhape, our ſmiling Countenance, and Illuring Mien only ſerve to aggravate our Misfortunes, and our ill gotten Pelf will only heap Coals of Deſolation on our Heads; and if by a vicious Courſe of Life we've acquired wherewithal to erect a Monument to tranſmit our Names to Poſterity, our Frame will only ſtink in Noſtrills of every pious Chriſtian, who will not Scrutanize into our Wealth, Wit or Beauty, but value us for our Virtue which alone *Poſt funera vivit*; but leaſt I weary my Readers with too great a Deviation from my Subject I ſhall again return to her Life.

The Colonel having made his Exit I hope in a much happier manner than he had led his Life, our Lady was left to diſpoſe of her ſelf again to the beſt Advantage ſhe could; I do not hereby infer that ſhe did not Play ſome pretty Games in his Life for that would be very unreaſonable to beleive, eſpecially ſome Accounts agree ſhe ſlighted him long before his Death. However ſome Gentlemen who out of pure reſpect to the Colonel neglected to make their Addreſſes to her in his Life ſoon after began to be her Admirers upon his Deceaſe. Quickly after which ſhe was ſo much in Vogue, that even the Populace compos'd a Song about her, call'd *Salley in our Alley*, what Reaſon the Vulgar had to do this I do not know, for nothing is more certain than that they had very little knowledge of her; Her whole Time being ſpent in the Society of nothing Inferior to Gentlemen, and I bluſh heartily to think what I dare not Write. *viz.* that ſo many of our Noblemen could delight in the Carcaſs of a Proſtitute, and yet nothing is more ſure than ſeveral of them did, for otherwiſe ſhe could never have liv'd in that Pomp and made the appearance which all the World is too Senſible of: A Cook Maid, a Chamber Maid, Houſe-Maid and Footman, were Generally the leaſt of her Equipage, a good Houſe well furniſh'd and Three or Four Diſhes at Table were the leaſt Expence of one Day; But alas to what is all this now come, to nothing but Miſery and Callamity, for now ſhe is confin'd within the narrow Limits of a Goal, which in my Judgment ſhe long ſince deſerv'd, for tho' we can't indeed alledge or prove that ſhe ever Robb'd or Stabb'd or Murthered any before, yet to me tis as clear as the Sun at Noon Day that ſhe has been Guilty of them all, for he or ſhe who Seduces a Perſon and Robb's him of his Innocence and Virtue is the worſt of Robbers. As alſo whoſoever Wounds the Soul gives the moſt Deadly ſtabb, and is guilty of the moſt horrid and Barbarous of Murthers. for what is all the World in compariſon of the Soul? Thus I Conclude, wiſhing all like her, may have the ſame Fate.

Printed by *J. Wilſon*, in *Cornhill*, 1722-3.

K Paynes F.

The ORDINARY of *Newgate's*,

# ACCOUNT

OF THE

Behaviour, Confeſſion, *and laſt* Dying Speech

OF

# *Matthias Brinſden,*

Who was Executed at

# TYBURN,

On *Monday*, the 24th of *September*, 1722.

For the MURTHER of his

# Wife *Hannah Brinſden,*

## On the 16th Day of *July*, laſt,

in the Pariſh of St. *Anne, Black-Fryars.*

Omitted in the Common Account of the *Dying Speech*, for want of Room, and the largeneſs of this Account. To which is added, the Paper deliver'd by *Tho. Wilſon*, after the Morning Sermon, the Day before their Execution.

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*LONDON:*

Printed and Sold by JOHN APPLEBEE, a little below *Bridewell-Bridge*, in *Black-Fryers*. 1722.

The ORDINARY of *Newgate's*

# ACCOUNT

OF THE

## Behaviour, Confeſſion, *and laſt* Dying Speech

OF

# *Matthias Brinſden*, &c.

AT the Seſſions, which began at the *Old-Bayly*, on *Friday* the 7th of this inſtant *September*, was condemn'd, (with 17 other Malefactors) *Matthias Brinſden*, of the Pariſh of St. *Anne Blackfryars*; for that he, on the 16th Day of *July* laſt, did mortally wound, and Murther, *Hannah Brinſden*, his Wife; by giving her (with a Knife of 7 Inches in Length) a Wound under the left Pap, of the Length of one Inch, and about the Depth of 6 Inches; under which mortal Stroke, ſhe lay in Agony for one Hour, without Power to ſpeak, or accuſe any one of bringing her to an untimely End, and then expired.

This Malefactor being a conſiderable Time under Confinement before his Tryal, and the Exclamations of the Town being ſtrong and violent againſt him; I was deſir'd by a great Number of People, to take a peculiar Regard of his Soul, his Death being as certain as his Impriſonment: Accordingly, I ſent for him to the *Chapel*, obſerving he abſented himſelf, but he made an Excuſe not to be there; upon my repeating and ſending to him, the Meſſenger told me, and ſaid he was brought up according to the Way of the *Roman Catholicks*, and had nothing to do with our Chapels, Parſons, or Prayers: But this, I believe, was only to prevent his being forced to the *Chapel*, that he might indulge himſelf in Sloath and Idleneſs: Tho' afterwards, he deny'd that ever he declar'd himſelf a *Roman Catholick*, or ſo much as ever ſpoke to the Meſſengers I ſent.

However, during the whole Time that he lay before Condemnation, he never once appear'd at Prayers; when he was upon his Tryal, it was thought remarkable, and a Token of a Savageneſs and Barbarity of Nature, that, inſtead of throwing himſelf upon the Mercy of the Court; inſtead

inſtead of deſiring Death rather than Life, with Remorſe of Conſcience; inſtead of burſting out into Tears, for the Loſs of the Partner of his Bed, his Joys, and Griefs; he inſiſted on trifling Allegations; ſaid his Wife lov'd *Brandy* and *Geneva*, diſobey'd his Commands, and would not be eaſy to live as he liv'd; making a Remark, that the Surgeon muſt ſwear falſely, in aſſerting that the Wound was 6 Inches deep, when the Knife produced in Court, was not 6 Inches long.

After his Condemnation, he being at *Chapel*, I examin'd him, and Tax'd him with having ſo little reguard for his Soul, which muſt ſo aſſuredly make its Appearance in another World, in ſo ſhort a Time: He anſwered, *That he trembled at the Thoughts of an avenging God, but not the more, for having ended his Wife's Days, which was accidental:* At the ſame Time, he took hold of my two Shoulders, turn'd me round, twiſting his own Body in a very ſtrange Manner, in order to explain fully to me the Way in which he perform'd the Murder, his Wife (*he ſaid*) being puſhing violently by him, that ſhe might force her Way to the Brandy-Shop, near her Houſe, where (*he ſaid*) ſhe continually went.

The *Sunday*, immediately following the Condemnation of him, and the other 17 *Malefactors*, I preach'd to them, from the enſuing Text of Scripture, taken out of the *Pſalms*.

*Blood-thirſty and deceitful Men, ſhall not live out half their Days.*

In conſidering the Words, we apply'd our ſelves particularly, to *Matthias Brinſden*, and *Anne Morris* (dead) who was convicted for the Murder of her Female Baſtard Child.

*Firſt*, We explain'd the Nature of Murder, 1. According to the *Natural*; 2. The *Jewiſh*; 3. The *Chriſtian* Law; proportionably ſtronger. By *Nature* 'tis unlawful, as 'tis injuring Society; as 'tis robbing God of what is his Right and Property; as 'tis wronging the *Slain* of the Satisfaction of Eating, Drinking, Talking, and the Light of the Sun, which he had a Right given by the *Creator* to enjoy; And as it is ſending a Soul naked, and unprepair'd to appear before a wrathful and avenging Deity, without Time to ſay (with Compoſure) *Lord have mercy upon me a Sinner!*

*Secondly*, we conſidered the particular Caſe of Parricide, and all Murders of Relations; eſpecially; the Mutherer of a Wife; the Parent to a Man's own Children; the Perſon he once Lov'd, and choſe out of the World to be the Companion of his Days, and to live and dye with him; one who had ſo long ſhared his good Fortune and his Bad; had brought him, with Pain and Anguiſh of Travel, ſeveral Tokens and Badges of Affection; thoſe Bleſſings that ought to be *like Olive Branches round about his Table*; to embrew the Hands in ſuch Blood, muſt be double Murder, as it murders not only the Perſon Slain, but kills the Happineſs of the Children left, deprives them of Bread, and forces them upon Poverty, and wicked ways of getting a Maintenance, which often terminates in an ignominious Death.

In the next Place, we obſerv'd, that tho' the Child was the Mothers own Property, yet 'its Life was not; for even her own Life was not hers but Gods. Nor could it be call'd, *no Murder*, becauſe the Babe had never enjoy'd the World ſince it had a Soul, for Happyneſs, or Miſery. We enquir'd, How her Sex could deal in Blood and Slaughter?

How

How a Parent could tear to Pieces the Life of her own Infant? How ſhe could bear its Cries, Inocent and Helpleſs, without relenting? If the very Beaſts and Birds will ſpend their laſt Blood in defending their Offſpring, How ſhe could hazard her Life in depriving *Hers* of that Exiſtance ſhe had given it, *&c.*

During this Sermon, and another Preach'd by another Clergyman afterwards, *Matthias Erinſden*, behaved himſelf no way Indecently; yet appear'd ſomewhat Serene and Compos'd, as if he was no ways aſham'd before Man what he had perform'd, or afraid before God. He complain'd of the prodigious Crowd of Spectators in the *Chapel*, who were moſtly there, he feared, to make Remarks and Triumph over his Misfortunes and Calamities.

Soon after this, I took him to Diſcourſe with, into a private Cloſet, where I ask'd him, *how he could bathe his Hands in the Blood of his Wife, who was his own Fleſh, and we are told, no Man ever yet hated his own Fleſh? What induced him to pierce that Breaſt that had once thought ſo kindly of him as to wed him? How he could wiſh to ſee that Face Pale in Death, in which he had once delighted in?* To this he anſwer'd, that he was as Innocent of Guilt as the Child unborn; that his Wife was Jovial and Gay, with four or five Women at his Houſe that Evening when he went home, was Free and Merry with them for a conſiderale time: They going away, he took a narrow ſharp Knife, (which he uſed in his Buſineſs) in order to cut ſome Bread and Cheeſe; his Wife enquiring if ſhe muſt feed on Cheeſe and Bread at Noon, and alſo, at Night; he asked her if ſhe was ſo Nice, that ſhe could not digeſt what he and his Children did? Whereupon, ſhe anſwer'd in Anger, *She would not.* That he intended then to give his eldeſt Daughter a Pye; as he ſometimes befriended her a little in her Dyet, becauſe ſhe was *(he ſaid)* a good Girl, took Care of his Children when his Wife was at the *Geneva* Shop, and did a great deal of Buſineſs, and he thought well deſerv'd much more, than was in his Power to beſtow upon her.

He added, that theſe Things exciting his Wife, in ſome Meaſure to Anger, ſhe thruſt by him to get thro' the Door, he reſolving ſhe ſhould not go Abroad, but ſtay at Home at Nights, as became a good Wife. In preventing her going out, (having the Knife and Bread in his Hand) the Knife unhappily ſhe thruſt into her own Side. We ask'd, How then the Wound could be ſo deep? He anſwered, Thro' he reſolv'd Temper to go to the *Geneva* Shop, that nothing but Death ſhould ſtop her; denying that he did it through Paſſion, or was ſo much as Angry with her. Being ask'd then, how he came to buan her Arms with a red-hot Poker ſome Years a go? He ſaid, She was of ſuch an odd Temper, that nothing but Beating would do with her, and ſhe was commonly good for a Week after; but if he let her alone for a Fortnight, ſhe would conſume all, and turn the Houſe almoſt upſide down: Which was the Reaſon, that it was juſt a Week between this Scuffle, as he intended it, that prov'd her Death, and the Fray the *Monday* before, when the Sheers were run into her Skull and ſhe was cover'd with Blood, ſo that he run away, till he heard ſhe was not dead.

He ſaid farther, That tho' his Daughter Swore, ſhe threw his Wife down on the Bed with one Hand, and ſtab'd her with the other, he laid her gently

gently on the Bed, to preſerve her from Death, and to ſave the Infant that was ſucking at her Breaſt. He added, that he would that Moment, have given 1000 Worlds for her Life; and ſent for Baſilicon and Sugar, to retain that Life a while, which he could not recal; in order to have her to declare, *That there was no Malice between them, and ſhe could not believe he deſign'd her Death.*

He alſo ſaid, That when he was eſcap'd to Mr. *Key's* at *Shadwell Dock*, he felt that Uneaſineſs in his Mind, that he wiſh'd he might be taken up; and tho' he was then in Bed, the Apprehenſions of his Mind, would not let him ſleep, but he fancy'd he heard the *Conſtable* approaching to Seize him every Moment, even while he was ſafe on his Pillow.

After this, he kept conſtantly to Prayers, except a Day or two, that he was ſick of 3 Maladies (he ſaid) at once: But when his Daughter who was Evidence againſt him, appear'd in the Chapel, to beg he'd forgive her, he turn'd away and would not ſee her; when the Girl kneel'd down before him, with Hands lift up, and in Tears beg'd him to forgive her; and there were near 20 other Perſons, ſome of them kneeling to him) beg'd with Tears, he would pardon his Daughter, *&c.* He was about half an Hour before he could be perſwaded to ſay he forgave; and it was next Day, before he could be induc'd to kiſs her, as ſhe beg'd moſt earneſtly he would; tho' two Clergy-men, and others, repreſented to him, that ſhe was but a Child of 16; could mean him no Harm, and had only done what Juſtice and the Law oblig'd her to perform: At laſt, when he ſeem'd really to be in Charity with her, he ſaid, (crying very lamentably) *For Chriſt's ſake my Child, God forgive me, I have robb'd you of your own Mother; be a good Child; rather dye than ſteal; never be in Paſſion, but curb your Anger; and Honour your Miſtreſs, for ſhe'll be, both a Father and a Mother to you: Farewel my Dear, Pray for your Father, and think of him as well as you can!*

During this, the ſad Sorrow of the Daughter was encreaſed, by the Sight of her Father waſted away to a Skeleton, from a ſanguin florid Complexion; which was not occaſion'd, *he ſaid*, ſo much by any Sickneſs he ſuſtain'd, as by the inward Vexation of his Mind, which prevented his receiving any Nouriſhment from his Food.

The Morning before he dy'd, *he ſaid*, Death was very acceptable to him, but he hoped he ſhould not be refuſed the *Sacrament*, but allowed to receive it in ſome Place more free from Noiſe and Tumult, than the Chapel us'd to be; which was adminiſtred to him on *Monday* Morning, agreeabe to his Requeſt. Before he went to the *Sacrament*, he took his laſt Fairwel of all his Children, with an incredible Number of Tears from him and them. As the *Sacrament* was giving, he paſſionately called on Chriſt, cry'd vehemently, wrung his Hands, *&c.* After he had receiv'd it, he grew Calm, and ſo continu'd till his Death.

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## The ACCOUNT of M. *Brinſden*, at the Place of Execution.

Being taken out of the Cart, and plac'd under *Tyburn*, while ſome others were adjuſting the Ropes about their Necks, or taking Leave of Friends, or throwing Books or Handkerchiefs to them among the Croud; M. *Brinſden*, regarded none, but ſtood as wholly wrapt in Thought, without any Surprize or Conſternation. But afterwards the Prayers being begun, he

was earneſt and attentive. Then deſiring Silence among the People, he deſired I would ſpeak aloud what was dictated to me by him, his Voice being to weak to reach the People around; It was as follows,

*I was born of kind Parents, who gave me Learning, went Apprentice to a* Fine Drawer, *I had often Jars, which might encreaſe a natural Waſpiſhneſs in my Temper. I fell in Love with* Hannah *my late Wife, and after much Difficulty won her; ſhe having* 5 Suiters *at the ſame Time. We had* 10 *Children (half of them dead) And I believe we lov'd each other dearly; but often quareled and fought. Pray good People mind, I had no Malice againſt her, nor thought to kill her 2 Minutes before the Deed; but I deſign'd only to make her obey me thoroughly, which the* Scripture *ſays,* all Wives ſhould do: *This I thought I had done, when I cut her* Skull on Monday, *but ſhe was the ſame again by* Tueſday.

*Good People, I requeſt you too obſerve, That tho' the World has ſpitefully given out, that I carnally and inceſtuouſly lay with my eldeſt Daughter, I here ſolemnly declare, as I am entring into the Preſence of God, I never knew whether ſhe was Man or Woman, ſince ſhe was a Babe; I have often taken her in my Arms, often kiſs'd her, ſometimes given her a Cake or Pye, when ſhe did any Particular Service, beyond what came to her Share; but never lay with her, or carnally knew her, much leſs had a Child by her: But when a Man is in Calamities, and is hated like me, the Women will make Surmizes be Certainties. Good Chriſtians Pray for me; I deſerve Death; I am willing to dye; for tho' my Sins are great, God's Mercies are greater.*

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A COPY of the PAPER deliver'd to me by *Tho. Wilſon*, the *Sunday* Morning before he dy'd.

I Thomas Wilſon, *deſire it may be Known, that I was in a Horſe Way, that lies between* Highgate *and* Hornſey, *where meeting a Man and Woman, they enquired the Way to* Upper-Holloway, *We directed them croſs the Fields; mean time we drank two Pints of Ale to bearten Us, then follow'd them, and rob'd them of 2 s. and ſome Half-Pence, the Womans Apron, her Hat, and her Colour'd Handkerchief; we left them without miſuſing them, tho' there was Thoughts of doing it; my Companion that rob'd with me, is gone to* Holland, *upon hearing I was taken up, tho' ſhould not have impeach'd him, but his Friends liv'd in* Holland. *Another Robbery we committed, was by a Barn in the Foot-Path near* Pancras *Church of a Hat, and Tye-Wig, and Cane, ſome Goods he was carrying; but we heard he had a conſiderable Sum of Money about him, but he ran away, and I ran after, but I being Drunk, he eſcap'd, and I was glad to get off ſafe. We rob'd two other Men near* Copenhagen-Houſe *of a Coat and Waſtecoat. I committed many Street Robberies, about* Lincoln's Inn. *For theſe and all other Sins, I pray God and Men to pardon me; eſpecially I pray Pardon for Shooting the Piſtol off, before Juſtice* Perry, *at my Friend's Adverſary; glad I did not kill him.*

*N. B.* On *Friday* laſt, *Thomas Phelps* was taken, and Charg'd with the ſaid Robbery of the Man and Woman, who enquir'd their Way to *Upper Holloway*, as above. *Thomas Wilſon* confeſs'd at the Place of Execution, that he never ſaw *Thomas Phelps*, and that he is innocent of the ſaid Robbery.

This is the whole Account to be given, by

THO. PUYNEY, Ordinary and Chaplain.

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## *ADVERTISEMENT.*

ALL MELANCHOLY, HISTERICAL, and HEPOCONDRIACK Diſtempers which variouſly affect the Mind with ſtrange Fears, and dismal Apprentions, Faintings and Sinkings of the Spirits, great Hurries, Reſtleſneſs, and Diſquietments, (tho' underſtood, and ſeldom cur'd by any Common Means) alſo Pains and Giddineſs of the Head, Riſings to the Throat, ſick Fits, Troublings and Oppreſſions at the Heart, or any other Diſorders cauſed by Vapours are ſucceſsfully cured (with God's Bleſſing) by a Phyſician who is no vain Pretender; but able to give the moſt doubtful Perſon ſufficient Proof of his great Succeſs in thoſe deplorable Caſes: He alſo Cures all kind of Fits, tho' ſtrange and violent, (if curable) which he will juſtly inform You: Living at (No. 27.) in Preſcot-ſtreet, in Goodman's-Fields, near Aldgate; where thoſe that have Occaſion, and live remote, may direct their Letters, and they ſhall be carefully anſwer'd, or attended on if deſir'd.

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228.

THE

# True COPY of the PAPER,

Deliver'd by

# Chriſtopher Layer Eſq;

At the Place of EXECUTION.

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Of *February* 2. 1722-23.

BEING

## A Large and Impartial ABSTRACT

OF THE

# TRYAL

OF

## *CHRISTOPHER LAYER*, Esq;

WITH

## An INTRODUCTION, by BRITANNICUS.

---

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# THE

# Whole Life and true Character of *Chriſtopher* LAYER Eſq.

THE ſorrowful Subject of our followng Diſcourſe is on that unfortunate Gentleman *Chriſtopher Layer*, Eſq; who was born in *London* in the Year 1685 of Parents who were in a flouriſhing Condition and good Reputation in ſo much that they bettow'd a liberal Education upon this their unhappy Son, and then put him Apprentice to an Attorney in *Warwickſhire*; but his Genius prompting him to act in a higher Sphere, he entred himſelf into one of the Inns of Court, and there aſſiduouſly bending himſelf to the Study of the Law, he was then at the End of Seven Years call'd to the Bar, when being made a Barriſter at Law, he follow'd that honourable Profeſſion with good Succeſs.

Now making a flouriſhing Condition upon the Stage of the World, he changed his ſingle Station into a State of Matrimony, by marrying a Gentlewoman of no ſmall Beauty and Fortune whereby he improv'd his Eſtate to 6 or 700 Pounds *per Annum*, and by the aboveſaid Gentlewoman he has had ſeveral Children, of whom there are ſurviving three. But it being the misfortune of this unhappy Gentleman to become accquainted with Perſons diſaffected to the preſent Government, his too eaſy Temper was ſo much wrought upon, that he was at laſt inclin'd upon to enter into their Meaſures, which at laſt prov'd the Ruin of his miſerable Family, as well as utter Deſtruction to himſelf.

For now his always active Spirit inciting him to perform ſomething diſtinguiſhable from baſe Plebean Souls, he took to Traveling, and in his Travels arrivig at *Rome* and other Places in *Italy*, his Zeal and Affection for the *Pretender*'s Cauſe procur'd him to be Introduc'd into his Preſence where, being found to be intirely engag'd in his Intereſt, he and his Spouſe was pleaſed to ſtand Godfather and Godmother to a Child his Wife was then going with, by their Proxies in *England*, who were Perſons of high Rank and Diſtinction,

Furthermore when he was at the Pretender's Court, it was there he might date his Ruin tho' in the midſt of Proſperity, for then being let into many important Secrets relating to the *Chevalier de St. George*, he made what haſt he could into *England*, for executing thoſe Orders he was impower'd with, and letting them be known to divers, who he thought were intirely in the ſame Intereſt which wou'd eſpouſe the ſame Cauſe, it prov'd at laſt that ſome of them were the Witneſſes that brought him under theſe Calamities, which ended in the fatal Cataſtrophe of bringing him to an untimely End.

For the Plot being diſcover'd, but qp what Means I do not preſume to define, in which he was Principall Agent, he was taken into Cuſtody of a Meſſenger, at his Houſe in Old *Southampton* Buildings in *Holborn*, and upon his Examination before a Committee of Lords of his Majeſty's moſt Honourable Privy Council, was committed Priſoner to the Tower of *London*, where he remain'd under Confinement 'till he was brought to a Tryal before the Right Honourable the Lord Chief Juſtice *Prat*, and and the reſt of the Judges of the Court of King's Bench in *Weſtminſter Hall*, laſt *Michaelmas* Term.

When he was upon his Tryal, ſeveral Witneſſes were againſt him, among whom were one *Plunket*, a Serjant of Invalids, and Mrs. *Maſon* of whom Fame Reports as if ſhe had been a Miſtreſs of Mr. *Layer*'s, which whither Fact or no we are not here to Examine & ſhall keck ſtrictly to the aboveſaid unhappy Gentleman, againſt whom it was prov'd that he held a Coreſpondence with the Enemies of our happy Conſtitution and Government, for depoſing K. *George*, and his Royal Family to ſet up the *Pretender* in his Stead.

In order hereto it was prov'd that he had liſted Men for the *Pretender*'s Service, contriv'd Ways and Means to raiſe a General Inſurection, in *London* but throughout the whole Kingdom, conſpir'd to ſeize upon his Perſon, Earl *Cadogan*, and other Perſons intirely devoted to the King's Intereſt, furthermore how to ſurprize the Tower, ſeize the Ordnance in *Hyde Park*, and appointed a Watch Word to be given at the Time when the Nation was to be involv'd in Blood and Slaughter, all which occaſion'd by ſeveral Letters ſent to, and receiv'd from Perſons concern'd alſo in the ſame Conſpiracy, and by a written Scheme form'd to carry on the aboveſaid Deſign.

To

To the Indictment tending to what's above Reported he pleaded not guilty, and a Jury being impannel'd after he had made a Challenge, in which he made an Exception againſt 24 Perſons, he proceeded on his Tryal, and in Defence of himſelf, had Mr. *Hargeford* and Mr. *Kettleby* aſſign'd him for Council; but after a Tryal which held from 10 of the Clock in the Morning 'till 4 of the Clock next Morning, the Lord Chief Juſtice ſumm'd up the Evidence on both Sides, and giving his Charge accordingly to the Jury, they after half an Hour's Conſultation brought him in guilty of High Treaſon, and ſhortly after he receiv'd Sentence of Death, as is uſual in Caſes for the ſaid Crime.

He was then remanded back to the *Tower*; but his Sentance being reſpited, he was *Hillary* Term laſt again brought to the King's Bench Bar, to have another Day aſſign'd for his Execution which was to be on the 27th of *March* laſt, before, when being Examin'd by a Committee apgointed by the Houſe of Commons, and afterwards by another Committee of the Houſe of Lords, it occaſion'd his being brought again to the King's Bench Bar in *Eaſter* Term, where another Day was awarded for his Execution, which prov'd his laſt Day in this World.

Being now ſenſible after all his hopes of Mercy, as having ſo many Reprieves, which made him the leſs preparatory for a future State, that he ſhould now die, he then ſeriouſly began to imploy himſelf in earneſt for his Change; and in order thereto deſiring not to be interrupted in his Devotions by any Viſiters? excepting his Wife, he ſhew'd and and gave all the Signals imaginable of being truly a Chriſtian, for his Deportment was grave, all his Words Pious, all his Actions inoffencive to either God or Man, all his Time was ſpent in reading the Holy Scriptures, or other good Books, all his Prayers at which he was Day and Night were fervent, ſo that all his Meditations ſeem'd to be a neglecting the Pomp and Vanity of this wicked World, by making a total Reſignation of his Soul and Body to God, with whom wou'd be Eternal Bliſs; profeſſing himſelf to be a Member of the Church of *England*, tho' his Humility made him to acknowledge an unworthy one. he with the greateſt Contrition imaginable receiv'd the bleſſed Sacrament in that Communion, the Day before he died.

It is to be further obſerved that tho' there is a diſagreement of ſeveral Papers which are put out about this unfortunate Gentleman, as concerning the Place of his Birth, yet we are moſt certainly inform'd that he firſt Breath'd in London, to Act a Scene of Miſery in that Place where his unlucky Stars appointed him to come into the World.

Suffolk, or Bolton in Lincolnſhire may contend for the honour of his being Born among them, as ſeven Cities once claim'd Honour for their Countrymen, however to hold no longer diſpute about this Matter, his Father having Occaſion upon extraordinary Buſineſs the live in Yorkſhire, he receiv'd ſome Education at the Schools of York and Hull, but afterwards profeited in Learning at Wincheſter Schoo, and from thence was ſent to receive Academical Erudition at New-College in Oxford, which is a Foundation made by William of Wickham, for the aforeſaid Nuriery in the aboveſaid City, where he prov'd a good Logician, and coming up to London gave many pregnant Inſtances of his great Genius, and more ſuperiour Parts, before he was initiated the Inns of Court abovementioned, and ſo ſucceſsful was he in the many Cauſes he took in Hand, that very eminent Perſons truſted him with Buſineſs of the greateſt Importance.

The juſtneſs of his Apprehenſions, and true Taſte and Knowledge which he had in the Municiple or Common Laws of the Land, as well as Statute Laws, appear'd in a Cauſe not long ſince, in which his own Siſter was Plantiff, againſt a rich Gentleman in the City London The Caſe was this, The aboveſaid Defendant having Courted his Siſter with ſeveral Promiſes of Marriage, but afterwards he declin'd them' to the great detriment of the Gentlewoman had refuſe'd ſeveral rich and worthy Gentlemen for his ſake, her Brother manag'd the Matter againſt him at Guild-hall, that the Client receiv'd by the Court one Thouſand Pounds Damage beſide Coſts of Suite.

But for all his great Parts, it was this unhappy Gentleman's Misfortune, to plunge himſelf and ſorrowful Family into a Pit of Miſery, by enjoying himſelf in in a Conſpiracy, which tended to nothing leſs then the utter Subverſion of the Profent Government; for which being apprehended in the Cuſtody of Mr. Squire a Meſſenger he made an eſcape but was preſently retaken, committed to the Tower, on

don, as abovehinted, tryd at the King's Bar at Weſtminſter, condemn'd, executed at Tyburn, and now has his *Head* expoſed for a Traytor againſt his King and Country on Temple Bar

It was objected by ſome, that he and his Wife had for ſome time liv'd very unevenly, but it is not very probable that it ſhould be ſo when there was the utmoſt harmony between them during the whole time of his Confinement, and no Woman could endeavour more ſtrenuouſly, or deſire more ardently than ſhe did, to gain time for him, and if poſſible to have gain'd him a free and gracious *Pardon*.

There was other reflections caſt on him, as that he ſhould keep to himſelf an Eſtate that was only lent him in order for his making a better Appearance in the World, and thereby gain a better Fortune: This he utterly deny'd, and added, that it was never his opinion that any Wealth ill gotten, ever throve, and that the greateſt Eſtate unlawfully acquir'd, was ever proſperous, or that any Man was ever Richer for it.

Between 8 and 9 a Clock in the Morning, he was put upon the Sledge and carryed to *Tyburn*, and in his paſſage was obſerved to look with a pleaſant Countenance, ſometimes deſiring the Crowd that preſſed upon him, to deſiſt and withdraw, with a ſmile in his Looks; but he rejected the Offers of ſome who would have given him Liquors to revive and ſuſtain his Spirits. But altho' the Duſt and extreme Heat were ready to ſtifle and ſuffocate others in Coaches and on horſeback, it ſeem'd to be no trouble to him, who was even low upon the Ground as he was carried along.

When he was arriv'd at the Place of Execution, he ſtood upon the Ground by the Sledge, and after ſome Civilities paſs'd between ſome Gentlemen there preſent, he was aſſiſted to get into the Cart prepared for him to ſtand upon, while he uttered his Prayers. He then enquir'd of the Executioner if his Body was to be Quartered? To which he anſwered him ſlightly, that it was not, then ſaid, That however that was, he did not for he had no Regard what became of his Carcaſs, or what was acted upon it, for he hoped he had taken that Care for his Soul; that he need not value his Body or Limbs.

After which, he ſaid, he wonder'd that the Crowd would be ſo rude, uncivil, and clamorous, and as ſoon after, upon two Clergymen's getting up into the Cart, he began his Prayers, which continued for ſome time, appearing very earneſt in his Petitions, notwithſtanding the Tumult and Clamor that was around him.

After he had concluded the little he had to ſay, he went to his private Devotions alone, (which laſted a great while) kneeling down appearing exceeding earneſt and devout, and then deliver'd his little Book into the Hand of his Friend who was there attending him: He then, himſelf, took ſome Pains to fix the String aright, and reſign'd himſelf to the Executioner of Juſtice, and the Cart was drawn along amideſt the Prayers of the People for his Soul: Tho' his Hands were not tied, he made no Efforts to lay hold of the String, but only lifted up his Hands ſeveral Times, as to Heaven, till ſome Perſons pulling his Feet, and one ſmall Blow being given him on the Breaſt, he very quickly and eaſily expir'd.

A Letter then coming, that his Limbs ſhould be preſented to his Friends for Burial, his Body was taken down, and his Head alone reſerv'd to be ſet upon *Temple Bar*, which was accordingly done on Saturday laſt: A Fire, being made about ten Yards from *Tyburn*, his Entrails were there conſum'd, with his Heart which was deſired by one there, which he intended to have preſerv'd.

His Behaviour was approved by all that ſaw him, as he had no levity or affected Gaiety in his Deportment, nor any Terror nor dreadful Fear ſuch as might prevent the Performance of his Duty, but a certain Compoſure and eaſy Chearfulneſs appear'd to the Spectators in his Countenance and in his Words. Silence being made among the People, in Expectation of his making ſome Speech to the great Company, he in ſome Meaſure diſappointed them; only ſaying, that he had left behind him in Writing the true Principles of his Religion, that Religion in which he died: And that he hop'd no Body would Publiſh any thing injurious to his Fame and Reputation after he was dead; and that the good *People of England* might expect but expect in vain, to ſee happy and flouriſhing Days in Great Britain 'till the fortunate Hour was come, that they ſaw a certain Perſon (whom he named as I ſuppoſe he thought him) was brought over into this Nation amongſt us.

After which he deliver'd the following Paper, and then was turn'd off.

# The Copy of the PAPER.

I AM come this day to die, and therefore you who are the ſuperior Officers to ſee Execution awarded againſt me, according to the Laws of the Land, I deliver my laſt Sentiments in this Life to do, as you, or the Government ſhall think fit.

As I die in Chriſtian Charity with all Mankind, ſhall make no Reflections on any Party, but only with I had not been too far engag'd in a Cauſe which has brought me to this untimely End.

To diſcover the particular Perſons, who had ſuch an Influence as to bring me to the Overture of condeſcending to what has too fatally prov'd my inevitable Ruin and Deſtruction it will not avail at this Juncture to diſcover; but I hope God will give them that Grace, ſo as they may diſtinguiſh eſpouſing a Cauſe, whether it may be right, or whether it may be wrong; and if it be in the latter ſence, let 'em beware of ſuch raſh Proceedings from the laſt words of a dying Man, for fear they ſhould come under the ſad Diſaſter of ſuffering the ſame Fate.

As for my Religion, I die in that I was moſt carefully inſtructed and educated by my Parents, who were truly juſt, honeſt, and religious, and that is the Church of *England*, as it is now by Law eſtabliſh'd; the Principles whereof I truely imbib'd when young, the Tenets aſſiduouſly follow'd growing up, and maintain'd its Doctrine to the laſt when at riper Years; and therefore am I the more blamed for engaging in ſuch an Affair, as it is ſoid ſince my Misfortunes would have been the introducing a Religion quite the reverſe of what I followed.

I am heartily ſorry for this overſight, but as my overſight is no Attonement for doing Injuſtice to my Native Country, I muſt ſubmit to the Juſtice of that Sentence which hath ordained me to live no longer in it; and therefore I moſt humbly beg that all Perſons whomſoever I have in any way offended, will forgive me, ſince my Life is now forfeited by dying an unnatural Death.

For my ſhameful Death is an eternal ſcandal to al my Friends and Relations; but nevertheleſs, tho' the Term of my Life is near its final Period, yet nothing (excepting my Sins) trouble me ſo much as parting with the moſt loving of all Wives, and tender Children; upon whom I hope no Perſon of Charity and generoſity will reflect on, for my dying on a fatal Tree, becauſe they were not in the leaſt concern'd in my deſperate Enterpriſes; and therefore I declare thus much, to ſatisfie the World of their Innocency, which is really blameleſs and unſpotted.

I muſt farther ſay, that Perſons under my *Premunire* of High-Treaſon in many Reigns as our Chronicles of *England* ſhew, having receiv'd Mercy from the King; the many Reprieves or Reſpites I have found at the Hands of royal Clemency, gave me ſome hopes of a general Pardon, for which undeſerved Favour, I ſhould in all Duty have been bound to become as ſerviceable as in my power, to my King and Country.

I have no more to leave behind me than wiſhing all Health, Happineſs, and Proſperity to my Wife and Children; and deſiring that you will take care of having this Copy Publiſhed to the World, if not offenſive to the Superior Powers, I wiſh alſo to you all Happineſs and Proſperity, as well as all other People whether Friends or Foes.

*Chriſtopher Layer.*

*Friday May*, 17th, 1723.

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# THE London Journal

SATURDAY, *February* 9. 1722-23.

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*A Continuation of* Mr. LAYER's TRYAL; *containing the Evidence for the* King, *againſt the ſaid Mr.* Layer.

MR. *Stephen Lynch* being ſworn, ſaid he firſt knew the Priſoner at the Bar about the Month of *June* laſt, and became acquainted with him by means of Dr. *Murphey*. About the Month of *April* laſt, ſaid he, I came into *England* from *Flanders*; at my Arrival in *England* I met with Dr. *Murphey*, that was my Acquaintance ſeveral Years before, who met me and told me he had ſome particular Buſineſs to tell me, and deſir'd me to meet him at *Cooper*'s Coffee-houſe in *Cornhill*, where I met him; and he told me that materiall Things were acting in the Kingdom in order to a Riſing, and if I would be of the Party, he would recommend me to a Gentleman that had the Management of it: I ask'd Time to conſider of it, and in two or three Days time I told him that I was reſolv'd to be of the Party. I frequently told him I was impatient to know who the Gentleman was that I was to be recommended to; about the Month of *June* he told me I ſhould go with him to his Lodgings, which were at the upper End of *Chancery-lane*, right over-againſt the *White-Hart*. About the Month of *June* we went to the Lodgings of Mr. *Layer*: Mr. *Layer* was at home, and deſir'd us to go to the *Griffin* Tavern in *Holborn* and he would meet us there; we went, and in a little while Mr. *Layer* came to us, and then Dr. *Murphey* told him that I was the Gentleman he had ſpoke to him of. Mr. *Layer* was glad of my Acquaintance, and told me that he had had ſuch a ſtrong Recommendation of me, that he was fully ſatisfy'd in me; and then he held a Diſcourſe about a Riſing that was to be in the Kingdom in favour of the Pretender, and that it would be back'd by a great many of the Army and the Guards, and ſeveral other Gentlemen. The firſt thing he told me was, that he was very glad to meet me, that he had had a good Recommendation of me from Dr. *Murphey*, as being a Man he could confide in; and beginning his Diſcourſe of an Inſurrection in the Kingdom in favour of the Pretender, he told me, that they were back'd with a great many of the Army and the Guards; that there was a great many of the Nobility and Gentry of the Country that would come in to them: He told me then, that he wanted a Man of Reſolution, that would take upon him, with ſome others, the ſeizing of ſome Perſon of Note, as a General, or ſome other great Man. The Diſcourſe run all upon the ſame thing. We were together about half an hour. We had our next Meeting a Day or two afterwards at the ſame Tavern, the *Griffin* Tavern; when I came there I ſent a Boy for Mr. *Layer*, as he had order'd me to do when I wanted to ſee him. At our parting after the firſt Meeting Mr. *Layer* told me, if I had occaſion to ſpeak to him, that I ſhould not come to his Lodgings, but go to a Tavern and ſend for him, which I did; I ſent a Boy for him, and he came to me. Then talking over a Glaſs of Wine, he told me that he had pitch'd upon me to ſeize the Earl of *Cadogan*; and that I ſhould chuſe as many Perſons, that I could confide in, as I thought fit, who would anſwer the ſame Deſign; and he being the principal Man in the Army, it would diſcourage the King's Party, and animate the Pretender's Party; which, as I ſaid before, I agreed to undertake, and to pitch upon ſuch Perſons as ſhould be proper to aſſiſt me in it, and to do the utmoſt of my Endeavours to do it. He told me that there was ſome *great Man*, who did not want *Wit*, *Courage*, or *Reſolution*, and was at the Head of this Affair, who would, at a proper time, give me an Order to affect ſomething further about it. We had ſeveral Diſcourſes about it. The chief part I was to act, was to ſeize the Earl of *Cadogan*, with ſuch Gentlemen as I ſhould think proper to anſwer the End of ſeizing him. I came, ſome few Days after, to the *Caſtle* Tavern in *Holborn*, and ſent for Mr. *Layer*; he came to me. We had no particular Diſcourſe, but in general we talk'd about the Uneaſineſs of the Nation, and the fair Opportunity there was to riſe: The ſame Diſcourſe that we had had at two Meetings before, he repeated and ſaid, now is a fair Opportunity, the Uneaſineſs of the People being ſuch, to bring about a Revolution, ſince they would be back'd by the Army and the Guards, and ſeveral other People. Soon after that we parted. Some Meetings we had at Mr. *Layer*'s Houſe in *Southampton-Buildings* a few Days after. The Subject of our Diſcourſe was always upon the ſame; about the Riſing and Uneaſineſs of the People, and the fair Opportunity of bringing about a Revolution, of the Diſpoſition of the Army and the Guards. Afterwards I met him at his Houſe in *Southampton-Buildings*, I told him of my Uneaſineſs; becauſe he had told me at the Beginning, that theſe Things would be ſoon put in Execution: I told him, if they were delay'd, I was afraid they would not ſucceed. He then animated me, by telling me that there was no fear of its ſucceeding; and that I ſhould not be diſcourag'd, for there was a Great Man, a Man of Wit and Conduct, that was at the Helm, and that had the Management of the Scheme: That I ſhould always keep a good Heart; and that things went on very well; and he told me that this was to be in favour of the Pretender. He mention'd him by the Name of King. After I met him at his Houſe, he went into the Country, and ſtaid ſixteen or ſeventeen Days; at his Return, I believe it was in *July*, I went to ſee him, and expreſſing how uneaſy I was about the Delay, he anſwer'd, *keep a good Heart, all things go on very well.* In my Diſcourſe to him of the Uneaſineſs I was under at the Delay, I ask'd him if he had any Promiſe of any Succour from any Power Abroad? He told me, if we once made a Beginning, we ſhould not want them: But did inſinuate, that we ſhould not want Encouragement from the Court of *France*. When I expreſs'd my Uneaſineſs at the Delay, to encourage me, the Reaſon he told me was, that Things went on very well, and would very ſoon be put in Execution.

Being ask'd by Mr. Attorney-General in what manner he did expreſs his Uneaſineſs, he anſwer'd nothing but that I was uneaſy, and I was afraid that Things did go wrong.

Being ask'd this Queſtion by Mr. Sollicitor-General, What did you ſay, did you ſay any thing relating to your own Circumſtances? He anſwer'd, in the Beginning I told Dr. *Murphey*, becauſe it would be a long while, ſome five or ſix Weeks, before I was to be introduc'd to Mr. *Layer*'s Company, that I came on my own particular Buſineſs, and my Circumſtances would not permit me to be long here at my own Expence. At the meeting with Mr. *Layer*, when I firſt made this Complaint to him, Mr. *Layer* told me I ſhould not want for a ſmall Matter, to maintain me in *England*. Accordingly Mr. *Layer* gave me ſome Money. Mr. *Layer* gave me ſome Money the firſt time, and afterwards he ſent me ſome Money

By

(Price Three-Pence.)

by Dr. *Murphey*; and the laſt time I was with him I had more: had Money of him five or ſix times: I believe the Sums did amount together to about eight or ten Guineas. It was given me to keep me in *England*, and to aſſiſt in the intended Deſign of a Revolution. After I came to his Houſe, upon his Return out of the Country, I expreſs'd my Uneaſineſs at the Delay: Upon which he encourag'd me, giving me to hope that Things went on very well, and our Deſign would effectually take Place. I asked him if he had any Encouragement from the Guards and the Army? He told me, Yes, he had; that a great many of the Officers would not engage themſelves now, being well paid; but he ſaid he had ſpoke with ſeveral Officers of the Guards, who had aſſured him that moſt of the common Soldiers would come in, as ſoon as we made a Beginning.

Being ask'd this Queſtion by the Lord Chief Juſtice, *When you asked him if he had any Encouragement from the Army, what did he ſay*? He anſwer'd, he told me, that he had Encouragement from a great many Officers of the Army: That he had diſcourſed with ſeveral Serjeants of the Guards, who told him that the common Soldiers would be glad, after they had made a Beginning, to come in to them; Mr. *Layer* told me, the Serjeants told him ſo before they were encamped, and complain'd of their ill Uſage, and hard Uſage from the ſubaltern Officers.

Being asked this Queſtion by Mr. Serjeant *Pengelly*, *Was you acquainted with any Time or Day that was fixed*? He anſwer'd, there was no fixed Time: Mr. *Layer* told me, it was to be on the riſing of the Camp; becauſe they could not talk with the Soldiers ſo well, while they were encamped, as they could afterwards when they were in their Quarters. Afterwards in Diſcourſe he told me, that it was fit to go and view the Earl of *Cadogan*'s Houſe in *Pickadilly*, in caſe it was neceſſary to ſeize the ſaid Lord in his Houſe: Accordingly we appointed a Day to go; and I came to his Lodgings, and we took Coach and away we went; and talking to him about it, he told me he was very well acquainted with my Lord *Cadogan*, and had ſome Buſineſs with him, about an Eſtate which his Lordſhip was about buying: We went to his Houſe, but my Lord was not to be ſpoke with, or was not within, I don't remember which, but we were conducted to his Houſe; we view'd the inner Part of the Houſe, afterwards we went into the Garden, we view'd the lower part of the Garden; then we went out in the Yard, and took a View of the Avenues round about the Houſe. I don't remember exactly the Time, but it was that Day that a Soldier ſhould have been ſhot in *High-Park*. In Diſcourſe we ſaid, that it was eaſy to be done, if we had but ſome reſolute Gentlemen to ſtand by us; that it was very feaſible to be done. At that Time he told me, the *Tower* would be immediately ſurrender'd to the Party; on the Day the Plot was to be put in execution, a certain Officer of the Guards would take upon him to mount the Guards there, who would facilitate the Delivery of the *Tower* to them. Afterwards, he ſaid, there would be no doubt of the *Mint*; they would be glad to take the Opportunity to ſhake off their Confinement: And that they would put Arms into their Hands, according as they repaired to their Party. After this I ſaw him at his own Houſe, and at ſeveral Taverns in the City; and once he wrote to me, deſiring me to come to his Lodging; accordingly I went, and when I came to his Houſe, I met with a little Paper that was left for me, directing me to go to the *Queen's-head* Tavern in *Great Queen's-ſtreet*, near *Lincoln's-Inn-Fields*, and to enquire there for one Mr. *Wilſon*; which I did, and I was conducted into a Room where they ſaid Mr *Wilſon* was, with Mr. *Layer*, and another Man, who ſeem'd, by his Cloaths, to be a Serjeant of the Guards. I do not know the Man. We ſtaid a little while there, we talk'd over the Buſineſs, and we drank good Succeſs to the Enterprize.

Upon this Mr. Serjeant *Cheſhyre* ſaid, your Lordſhip will pleaſe to take notice, that when he went to Mr. *Layer*'s Lodging, he found a Letter there, directing him to go to the *Queen's-head* Tavern, and enquire for one *Wilſon*; that when he came there, *Wilſon* was there, and Mr. *Layer* and another Man.

Being ask'd by Mr. Attorney-General, if the Priſoner at the Bar drank good Succeſs to the Enterprize, he anſwer'd yes, he did, and went on as follows, I told the Priſoner, when he went out, that I was mighty uneaſy at the Delay of this Affair. He told me, I need not be uneaſy, for every thing went on well; and they had a Nobleman at the Helm, who had Authority from the Pretender, and would loſe no Opportunity when a fit time offered. He call'd the Pretender the King. I was uneaſy at the Delay, for fear of being diſcover'd. The Reaſon he gave me, why I ſhould not be uneaſy, was, becauſe their Deſigns were quickly to be put in Execution; and there was a Nobleman at the Helm who would put the Deſign in Execution, as having full Power and Authority from the King to act as he thought proper. I ask'd who that Nobleman was, but he never told me his Name, but ſaid that I ſhould, *in a proper Time, be preſented to him*, and receive my Commiſſion and Orders from him to ſeize my Lord *Cadogan*.

After this the King's Council proceeded to acquaint the Court, and the Jury, with what happened in *Eſſex*, and asked Mr. *Lynch* when he went out of Town with Mr. *Layer*: To which Mr. *Lynch* anſwered; My Lord, I was at Mr. *Layer*'s Houſe the Day when the Biſhop of *Rocheſter* was ſent to the *Tower*; he ask'd me, if I would ride abroad with him the next Day to take the Air; I conſented to it, and came the next Morning to his Houſe; and Mr. *Layer* asked me if I mounted with Furniture: I told him no; but that I had a double Barrel Fowling-piece, which if his Servant would carry, would do as well. He then deſired me to go and ſtay for him without *Aldgate*, and get my Gun ready loaden, for he had that about him which he would not loſe for any thing in the World. I went and ſtaid till about ten or eleven a Clock, when Mr. *Layer* met me, and gave the Gun to his Servant to carry. On the Road he told me, we were going to my Lord *North* and *Gray*'s, whom he was very well acquainted with, and that he would recommend me to him as a Friend of his. When we got to the *Green Man*, he told me, we had better go in and dine there, becauſe Dinner-time would be over before we could get to my Lord *North* and *Gray*'s. Whilſt Dinner was getting ready, we had ſeveral Diſcourſes on the ſame Subject, of the Uneaſineſs of the Nation, and its Inclination to a Revolution, and how to bring it about; upon which, he pulled a Paper out of his Pocket, and gave it me to read the latter Part of it. I remember ſome Lines of it; which was, in general, to invite the Nation to an Inſurrection; and to ſhake off the Calamities and Miſeries they endured under the preſent Miniſtry. And it was mentioned in the ſaid Paper, that the Earl of *Cadogan* was actually in their Cuſtody; thereby encouraging the Army to revolt, with an Offer of *three Guineas* to every Horſeman and Serjeant, and *two Guineas* to every Corporal and Serjeant, and *one Guinea* to every common Soldier, to be paid immediately on their joining the Party, and a Promiſe of farther Preferment. I read this out of the Paper in Mr. *Layer*'s Hand, and according to our Diſcourſe, I thought it might be his writing; he produced it.

Being asked this Queſtion by the Lord Chief Juſtice, *You ſay you imagine, from ſome Diſcourſe between you, that it was his Hand writing, what Reaſon was there, in all his Diſcourſe, that induced you to think ſo? He anſwered*, He talk'd of it as being of his own making; beſides, there were ſeveral Interlineations, Daſhings out, and Interlineations afterwards. He was very well ſatisfied and eaſy as to me, and ſaid, he could wiſh that he could bring Matters about ſo, as that I could have the ſole Direction of ſeizing ſome of the Miniſtry, and namely, my Lord *Townſhend*, my Lord *Carteret*, and Mr. *Walpole*. He ſaid, when the Deſign was put in Execution, the Army would declare in their Favour, and they would ſend a ſtrong Guard to take care of the King's Perſon.

Being asked this Queſtion by Mr. *Att. Gen. How to take care of the King's Perſon? What was you to do?* he anſwered, Nothing but to ſecure the King's Perſon; by what he told me, it was for the Publick Good of the Kingdom; that they did not mean, nor had they any Deſign on the King's Perſon, but only to keep him in Security from any Inſult. He told me there was a Scheme laid on that Foot, of which I told you the firſt Step was to ſeize the Earl of *Cadogan*, and then, according as the Army came over, to take care and ſeize the King's Perſon; and he thought the proper Time to put this in Execution, would be at the riſing of the Camp in *Hyde-Park*: To this I made no Objection, only ſhew'd my Uneaſineſs at the long Delay; upon which he told me, if I could think or propoſe any Thing more proper, that I ſhould do it. After that we rode toward *Epping*, and went to my Lord *North* and *Gray*'s; and there Mr. *Layer* introduced me as his Friend. We ſtaid there all Night, and dined there the next Day. In the Evening we came away in Company with another Gentleman that I did not know; but we talk'd on the Road about the Situation of my Lord's Houſe; and Mr. *Layer* told me, he had recommended me to his Lordſhip, as his particular Friend, and ask'd me how I lik'd him. I don't remember that he called him by any other Name but *My Lord*. When he ask'd my Opinion of him, and how I liked him, he only called him my Lord *North* and *Gray*; he only ask'd me how I liked my Lord *North* and *Gray*. We had ſome Talk about the Perſon that was to have the chief Command, but he never named the Perſon. I was to command the Party that was to ſeize my Lord *Cadogan*. Another time I went to my Lord *North* and *Gray*'s, where I found Mr. *Layer*, and expreſs'd to Mr. *Layer* the Uneaſineſs I was in at the long Delay, and that I was afraid our Hopes would vaniſh; and told him, if Things were not ſoon put in Execution, I would withdraw my ſelf. Mr. *Layer* bid me not be uneaſy, Things might perhaps be

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ſooner put in Execution than I imagined. This was at *Epſing*, at my Lord *North* and *Gray's*. I came home that Night; Mr. *Layer* remained there. Afterwards I met him at his own Houſe, where I expreſſing my Uneaſineſs as formerly, he ſaid, I ſhould not be uneaſy, for Things would ſoon take effect; and bid me get myſelf ready to execute my Deſign, becauſe they had Notice the Camp would ſoon break up, which was the Time deſigned to put Things in Execution; and at another Time he told me, that the Declaration which he had ſhewn me at the *Green Man*, had mentioned no particular Perſons, but in general, the Safety and Publick Good of the Kingdom: There was nothing mentioned of the Pretender in it, but that he had thought fit to put it now in the Pretender's Name. I was to receive my particular Orders for the Executing my Deſign from that Nobleman, who was to act as General in this Affair. I don't recollect he was ever named by Mr. *Layer*; he told me, that the Declaration was afterwards put in the Name of the Pretender. He recommended me to my Lord *North* and *Gray* as one of his particular Friends. We talk'd indifferently; we diſcours'd nothing of the Revolution at that Time: He told me he had given the Declaration to a Nonjuring Miniſter to get printed, and had given twenty Guineas for that Purpoſe. I was not acquainted before with my Lord *North* and *Gray*, he introduced me as one of his Friends. I know when Mr. *Layer* was firſt taken up, but I can't recollect how long before that I had been with him. I firſt became acquainted with Mr. *Layer* about *June*. I told you about the Declaration, and about my Uneaſineſs, and that he told me Things would ſucceed ſooner than I thought for. He told me ſeveral times, when I was ſo irreſolute and uneaſy, ſaith he, don't you be uneaſy; rather than all ſhould fail, I will ſtir up and be a ſecond *Maſſinello*.

Being ask'd this Queſtion by Mr. *Weſt*. *Had you any Converſation about the taking up of any Perſon?* he anſwered, He only told me at that Time, that if the Nobleman at the Head of Affairs ſhould be taken up, every thing would be quaſh'd. That Nobleman was not taken up at that Time. My Recommendation to my Lord *North* and *Gray* was only as a Friend of Mr. *Layer's*, to paſs away the Time in Summer.

This is the Subſtance of what Mr. *Lynch* gave in Evidence, in Anſwer to the Queſtions which were put to him by the Court and by the Council for the King. After this Mr. *Hungerford* and Mr. *Kettleby*, of Council for the Priſoner, examined Mr. *Lynch*, and this Queſtion was propoſed to be asked him by Mr. *Kettleby*. Whether he hath any Offer of Pardon propos'd to him to induce him to give Evidence againſt the Priſoner at the Bar; which if he hath, we apprehend will invalidate his Evidence: To which Mr. *Lynch* anſwered, *No Sir; I have no Promiſe of Pardon at all: I only do this out of Juſtice, to make what Reparation I can, and to ſave the Blood of many People.* Then he was asked the following Queſtion by Mr. *Kettleby*: I think you ſay the firſt time you were introduced into this Gentleman's Company, the Priſoner at the Bar was at the *Griffin Tavern* in *Holborn*, and that he then told you he had great Deſigns in hand; and that there was an Inſurrection deſign'd, and they wanted a Perſon of Reſolution to ſeize a General: This, you ſay, was the firſt Time that ever you ſaw the Priſoner at the Bar. How came you to have that Share of Confidence in a Man that you never ſaw before? To which he anſwered, I told you I was in Diſcourſe with Dr. *Murphey* a great many Days and Weeks before I ſaw Mr. *Layer*; I told you how every Day I ſaw him, and always diſcours'd about the Inſurrection, and how he told me then that he would recommend me to a Man that had the Management of the greateſt Part in this Affair; and I ask'd every Day when I ſhould be introduced to him: He told me the Time was not come yet; but when it was a proper time, he would introduce me. In anſwer to other Queſtions asked him by the Priſoner and his Council Mr. *Lynch* ſaid, I depended on Dr. *Murphey*, becauſe Dr. *Murphey* and I had been acquainted ſeveral Years ago. There was, ſays he, a common Friendſhip between us. We have been concerned in Affairs together, I can't ſay exactly the Time, how long I was at the *Green Man* with Mr. *Layer*, whether we were there an Hour or two; but we had ſomething dreſs'd for Dinner, and the Matter was diſcours'd of by us before Dinner. When we firſt alighted from our Horſes, we were ſhewn into a Room up one Pair of Stairs on the right-hand, the firſt Room, it look'd into the common Road; out of the Window I ſaw two Gentlemen, but did not know them. I went down Stairs twice before Dinner; but not to ſpeak to any Gentlemen, the firſt time I went down to make Water, and the ſecond for Curioſity, I did not ſtay both times above two Minutes; when I came up the ſecond time Dinner was come up, we had nothing dreſs'd for our Dinner but a Beef Stake; the Diſcourſe we had was before Dinner. I don't remember how much Time we ſpent before Dinner, but it was a good while. I don't know whether the double Barrel Gun was in the Room, or whether Mr. *Layer's* Servant had it. Neither Mr. *Layer's* Servant nor the Drawer were in the Room at the time of Dinner. I have no Copy of that Part of the Paper he gave me to read, and which I did read, to the beſt of my Remembrance the whole of it was a common Sheet of Paper I did not read the whole, he doubled it down, and gave me the latter Part of it to read; It was written, and in that I ſaw there were two or three Places interlined.

*Matthew Plunkett* being ſworn, ſaid as follows. I do know the Priſoner at the Bar; one Major *Barnwell* brought me firſt acquainted with Mr. *Layer*; he had an Execution in his Houſe in *Great Queen's-ſtreet*, and this Major *Barnwell* came to me, and deſired me to get a Couple of Grenadiers. I brought him two; we went to Mr. *Layer's* Houſe, and his Clerk let us in at the Back-door, and the Grenadiers turned the Officers out, and Mr. *Layer* gave them a Crown, and a Glaſs of Brandy. As near as I can gueſs, it is going on of five Years ſince this. The next Acquaintance I had afterwards, was by Major *Barnwell*, who was arreſted, and he ſent me with a Letter to his Houſe, to deſire him to relieve him. One *James Plunkett* came to me from Mr. *Layer*, in *July* laſt, to deſire me to meet him; but how this Counſellor *Layer* and this *James Plunkett* came acquainted, I don't know. I don't know what he is, he is acquainted with Mr. *Layer*: I don't know what Profeſſion he is of, nor how he lives, or gets his Bread. Mr. *Layer* paid the Charges for Major *Barnwell*, and brought him out of the *Marſhalſea*. To the beſt of my Knowledge this was four Years ago.

Mr. *Reeve*, upon this addreſſing his Diſcourſe to the Court, ſaid he is giving an Account how he came to be acquainted with Mr. *Layer*; the firſt Time was upon the Account of reſcuing Mr. *Layer's* Goods; the other Time was by Mr. *Layer's* redeeming Major *Barnwell* out of the *Marſhalſea*, and paying his Debt: And then Mr. *Reeve* ſaid to *Plunkett* give an Account how, and how long ago you came laſt acquainted with him; *Plunkett* went on and ſaid, I believe, as near as I can gueſs, it was laſt *July*. Now this *James Plunkett* came into my Room, ſat down, and he asked me how I did, and ſaid he was glad to ſee me; and he asked me, Are you not well acquainted in the Army? Yes, ſaith I, I know a great many in the Army, both Officers and common Soldiers. Do you know, ſaith he, any of the Serjeants of the Guards? I know ſome of 'em, ſaid I. He brought me out of the Room, becauſe my Wife was there, and then he opened his Mind to me: Saith he, Do you know one Mr. *Layer*? (I had forgot the Gentleman, being ſo ſlightly acquainted with him;) No, ſaith I, I don't know him. No matter, ſaith he, I have appointed a Place for you to meet him at, at the *Italian* Coffee-houſe in *Ruſſel-Court*; and at the End of this Mr. *Plunkett's* asking me to keep Correſpondence with them for the Pretender's Service. I did not go to the *Italian* Coffee-houſe, not being in a proper Station, nor having Money for that Purpoſe: So I did not think proper to go to the *Italian* Coffee Houſe; but the *Sunday* following I went to St. *Andrew's* Church, and meeting with ſome Friends, they told me Dr. *Sacheverel* preached there; and ſo they decoyed me to go and hear him preach there. When Service was over, to the beſt of my Knowledge, as I was going Home, between twelve and one a Clock, I met Mr. *Layer* accidentally in *Lincoln's-Inn-Fields*; Mr. *Layer* he look'd at me, he was really a perfect Stranger to me, for I did not know him again; ſaith he, Is not your Name *Plunkett*? Yes, ſaith I. Was there not one with you t'other Night, one *James Plunkett*? Yes, Sir, ſays I. Where did he deſire you to go? ſaid he. I anſwer'd, He deſired me to go to the *Italian* Coffee-houſe in *Ruſſel-Court*. Saith he, 'Tis well enough: Do you not know me? No, ſaith I, you have the Advantage of me; I ask your Pardon, for I don't remember you. Don't you remember one *Layer*? ſaith he. Then I call'd to Mind that I knew the Gentleman. Saith he, Will you walk on this Side? I walked back again towards *Little Turn-ſtile*, and we ſtruck up the Wall-ſide, and juſt as we came under a great Coach-houſe Gate-way, we went in, and in the Gate-way he talk'd to me; ſaith he, I am told that you are a very honeſt Man, and well-affected as to the Buſineſs of the Pretender. At the ſame Time we had this Talk, he bid me not mention it to *James Plunkett*, that I had ſeen him: Then he ask'd me if I knew any Serjeants in the Guards; for, ſaith he, I want ſuch old Soldiers as you are yourſelf, that could diſcipline a Mob, for we have other Men enough amongſt us; but if we could get ſome old Soldiers, if that could be managed, they would be finely rewarded. But, Sir, ſaith I, the Pretender is a Papiſt. Saith he, What Difference is there between a Papiſt King, and a *Lutheran* King? He ſaid he wanted ſuch old Soldiers as me to diſcipline a Mob, and to put them in Orders. Then we began to reaſon about the Pretender; Why, ſaith he,

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we had as good have a Papist for our King, as a *Lutheran*. I said he was a *Papist*. Says he, we had as good have a *Papist* for our King as to have a *Lutheran*, I don't know what Difference there is; but as it was, the Nation was enslaved, and the People were obliged to be Slaves. I ask'd him, Sir, who is the Promoter of this that may ruin us? You see, says he, what Injustice is done to you, you have served Abroad, and others are put over your Head; you have had, and found great Hardships. I asked him who promoted this? He said the Lord *North* and *Gray*. Says I, He is a Peer of the Realm. Saith he, He is a fine General. And the Earl of *Strafford* he mentioned. He said my Lord *North* and *Gray* was a fine General; and ask'd me what I thought of him? I said I had never been under his Command, but I look'd upon him to be a Great Man, and one of the Peers of the Land. And then he mentioned my Lord *Strafford*, What do you think of him? To which I made the like Answer. And what do you think of General *Primrose*? I said I had lately seen him at *Chelsea*, passing by in his Coach, but that he was an old Man; however, Mr. *Layer* said he was a brave General. Then he ask'd me what I thought of General *Webb*? I said I had heard of his Fame.

Being asked this Question by Mr. *Serj. Pengelly*. When he said my Lord *North* and *Gray* was a fine General; and when you ask'd who promoted it, whether did Mr. *Layer* tell you what their Design was to do? When Mr. *Layer* ask'd you, what do you think of this Person, and the other Person, what were they to do? He answered, to raise a Rebellion, but that was not talked of at that Time. He did not say how many such old Soldiers as me he wanted to discipline a Mob, and put it in Order: Mr. *Layer* would have me take a List of their Names, and to enrol them, that they might know where they lodg'd, and where they quarter'd; that so when he wanted them, he might then send for them to be in Readiness. I said I knew a great many, and that I could get twenty five. Saith he, you ought to have a List of their Names, where they lodge, that they may be in Readiness for a Call: And saith he, This would have gone on some time ago, only some Body made Discovery of it to the *French* Ambassador, and he wrote to the Regent, and so it was discovered to the King: And, saith he, The Duke of *Ormond* was to come in one Ship, and General *Dillon* in another, and they would bring their Numbers with them; and then I should see that the Army would not oppose them. And when I parted from him he gave me half a Crown to drink, to encourage me. And he said he would send a Messenger to me; and in a Day or two afterwards there came a Messenger from him: I was not at Home, but he spoke with my Wife: That was the Un-juring Minister, his Name was *Jeffreys*; A matter of five or six Days after he came again, and I saw him; he ask'd me if I knew Mr. *Layer*? I told him I did. He then carried me to the *Castle-Tavern* in *Drury-lane*, where we drank two Pints of Wine, which he paid for; after the Nonjuring Parson told me he came from *Layer*, who gave his Service, and told me that he was employed by Mr. *Layer* to go to such as I was, who were old Serjeants, to get a Parcel together to discipline Citizens and other Mob in the Country. He talk'd to me of the same Subject, desiring me to get Men in readiness; he told me, he had a great many Places to go to besides me with this Errand, and then we parted. Another time he came to me, we went to an Alehouse, to the *Cock* and *Bottle* in the *Strand*, where he gave me half a Guinea, and said, there is a Token, Mr. *Layer* had sent it me to give me Encouragement. When Mr. *Layer* said he would send a Messenger to me, he said, that he would send Money by the Messenger to me: Afterwards a Messenger (*Jeffreys*) came to me, as from him (Mr. *Layer*) and encouraged me, and gave me half a Guinea. *I am upon my Oath before God and Man, and I will say nothing but the Truth.* Some time afterwards I met Mr. *Layer*, at eight a-clock, at the *Castle* Tavern in *Drury-lane*; there was the Landlord, and Mr. *Layer*, who had two Bottles of Wine, and some Bread and Cheese: He would have had me eat, but I told him I could not eat; but I drank of the Wine. When he had discours'd with me about the Affair, to encourage me he gave me a Crown; I went cross *Lincoln's-Inn-Fields*, so went home. He gave me the Crown to encourage me to list Men for the Pretender. That Morning Mr. *Layer* was going to *Norfolk*, *Plunkett* told me Mr. *Layer* was going out of Town, and would be glad to see me. I went to Mr. *Layer*, and his Horses were at the Door; he desired me to walk up two Pair of Stairs forwards, and by the same Token order'd his Servant to charge his Blunderbuss in the Room. Saith Mr. *Layer*, I have given a Guinea to the Nonjuring Minister to give you, to do what Service you can; and when I am abroad, you may be sure I shall not be idle. I brought an old Soldier, who had been in the Service many Years, his Name was *John Child*; I brought him as thinking he might have been of Service to them. When Mr. *Layer* was going into the Country he told me he would not be idle there: He desir'd me to see and get what Soldiers I could for him: I came to the Nonjuring Minister, and I told him I had got twenty-five. Then Mr. *Layer* ask'd me why I did not bring a List of them, that he might know where their Habitations were, and that they might be in Readiness at the Time. I disputed with Mr. *Layer* what would they do for Arms? No fear of Arms, saith he; Arms will be provided for them. After he return'd from the Country to the Town, this Mr. *Plunkett* was the first Messenger that was sent to me; he came and told me Mr. *Layer* was come to Town; and this Nonjuring Parson sent me a Letter by the *Penny-Post*; Mr. *Child* was in my Room and read it; the Contents were, *Mr.* Layer *is come to Town, and would be very glad to see you: No more, but your humble Servant* William Jeffreys. By this I knew his Name: And I went to Mr. *Layer* to his own House. I remember at that time, when I came to him, he gave me a Guinea with his own Hand: Mr. *Layer*, after he came from the Country, gave it me, and I recommended Mr. *Child* to him; and Mr. *Layer* said he had no Business for him: I recommended *Child* as an honest Man, as one that was well-affected, as he desir'd me, upon the Account to be a Pretender's Man, and receiv'd half a Guinea from Mr. *Layer* to give to Mr. *Child*, for to encourage him in the Service, to be trusty to him, and to be a Pretender's Man. He call'd the Pretender King. The *Sunday* before he was taken up I was with him, and he was talking and saying the King was as fine a Shooter as any in *Europe*: By the King he meant the Pretender, that he was as fine a Shooter as any in *Europe*; he shot nineteen out of twenty. I said, that was fine shooting: This Discourse was in his own Parlour. At that time, besides shooting, we talk'd of those Men that would do Service. I ask'd him what Rewards those Men, that would do Service for their King and Country, should have; he told me, that they, and their Families, were to be for ever taken Care of. There was no Promise made to me, only he was the Man who said, if I would follow his Directions, he would promote me; and that he would engage to do great Matters for me; and what I suffer'd in the Army, he would make me Amends for. He said, that most of the Nation was tir'd with the present Government; and he said, that King *George* was for ruining of the Nation: He said, what signified the Government; there were but only eight or nine Upstarts that belong'd to King *George's* Court; that the ancient Peers of the Realm would not be run down; for they should be made Slaves, if they did not prevent it. I do remember that he said, here is a *Dutch* Army come in upon this Nation, and then the *French* Army will come in, and take our Rights and Liberties from us: You will keep a *Dutch* Army, and it will be to make a War among ourselves. He told me, that when the Insurrection was, there would be a great many Half-pay Officers, as I knew, that would be on the Pretender's Side, and especially those of the Names of *Fitzgerald*; but I never knew any *Fitzgerald* abroad.

This is the Substance of the Evidence given by *Matthew Plunkett*, in answer to the several Questions put to him by the Court and the Council for the King. After this he was ask'd several Questions by the Prisoner and his Council; and the Substance of his Answers was as follows: My first Acquaintance with Mr. *Layer* was in *Queen's-street*, and Major *Barnwell* desir'd me to assist him (Mr. *Layer*) there being an Execution in his House. I came to his House, and Major *Barnwell* sent me to get a Couple of Grenadiers, and Mr. *Layer* order'd his Clerk to let them in at the Back-door; and the two Grenadiers, which were confin'd in the *Savoy* afterwards for it, drove the Officers out. I cannot tell whether they were the Landlord of the House's Goods or Mr. *Layer's*, they were in his House. It was about five Years before Mr. *Layer* saw me in *Lincoln's-Inn-Fields*: It was when the Army was broke; and I came over from *Ireland*. He told me my Lord *North and Gray*, and my Lord *Strafford*, were Promoters of the Conspiracy. He knew me; therefore, Sir, said I, you have an Advantage against me; for I don't know you. Afterwards we met one another by Accident. Says he, don't tell *James Plunkett* you met me. I don't know where *James Plunkett* lives. Two Months after I went to Mr. *Layer's* House: There was a Soldier which was arrested by a *Marshal's-Court* Writ, and he lent me thirteen Shillings in order to discharge him. I did not afterwards ask him for any Money, on account of Sir *Daniel Carroll*, nor make a Demand on Sir *Daniel*. I told him my Affairs with Sir *Daniel*. He said he would not meddle himself, but would write to him. I did not bring any Papers to Mr. *Layer*. I never ask'd Mr. *Layer* in the Course of my Life, to advance twenty Shillings for me: I never borrowed any Money of him, otherwise than to get Men listed for the Pretender. The first time I saw *James Plunkett*, was, when Mr. *Layer* releas'd Major *Barnwell* out of

of the *Marshalsea*. When *James Plunkett* came to my House, he took me by the Arm, and told me he came from Mr. *Layer*; he told me that first time, he came from Mr. *Layer*, upon my Oath he did; he came to me, and desir'd me to meet Mr. *Layer* at the *Italian* Coffee-House in *Ruffel-Court*. *James Plunkett* did not talk to me about lifting Men for the Pretender the first time he saw me, he only was sent on an Errand from Mr. *Layer*. The same Discourse pass'd between the Nonjuring Parson and me, about lifting Men. I trusted him, and talk'd so because he came from Mr. *Layer*. Before I knew his Name, the Nonjuring Parson had been with me two or three times; he told me his Name was *Jeffreys*, but did not tell me his Christian Name. The Letter was sent to me by Mr. *Jeffreys*, at the time when Mr. *Layer* came from the Country, about ten Weeks ago? The Letter is lost. I cannot read Writing. I have heard it read often enough; *John Child* read it over to me two or three times.

John Turner, *one of the Messengers, was sworn and examin'd.* Mr. Attorney-General said to him, look upon these Papers, (shewing him the Papers) *Turner* looks upon the Papers, and being ask'd this Question, Do you know any thing of these Papers, and where they were found? Mr. *Turner* answer'd, My Lord, by Warrant from my Lord *Carteret*, Principal Secretary of State, dated the 29th of *September* last, I was directed to search for one Mrs. *Mason* and Mrs. *Cook*, and on the very same Day I executed that Warrant. I found out Mrs. *Cook*'s House in *Stone-Cutter's-yard* in *Little Queen-Street*, near *Lincoln's-Inn-Fields*; and in searching the House, in Mrs. *Mason*'s Lodgings, in her Bed-Chamber, there was a Trunk, which the other Messenger and I demanded to be open'd: Mrs. *Mason* was in the House, and she open'd the Trunk; and in the Trunk there were two Bundles of *Papers seal'd up*; which Papers being open'd, this Paper was found amongst them, (*meaning the Plan, or Scheme*) I know it to be the same, because I writ upon't, I set my Mark upon it. *And so he was examin'd as to several particular Papers, which were shewn to him one after another, and which he swore to have been all found in two Bundles taken out of Mrs.* Mason's *Trunk, and that he had set his Mark upon them, by putting his Name upon each of them at that time.* They were in my Custody about an Hour, and when I parted with them, I delivered them, I think, to Mr. *Stanyan*. After the Trunk was open, and the Bundles were open'd; in the Bundles, finding Papers of Consequence, I was directed to go and fetch Mr. *Stanyan*, as being a Magistrate, to give that Person her Oath. While I was gone I deliver'd the Papers into my Brother Messenger's Hand, and he sign'd them. After my first seizing the Papers, before I put my Name upon them, it was, I believe, three Quarters of an Hour: Mrs. *Mason* was by and unlock'd the Trunk, I took out the two Bundles, and deliver'd them to my Brother Messenger. They were seal'd up when Mrs. *Mason* had them lock'd up: I saw all the Papers taken out of the Bundles; this Paper (*meaning the Plan, or Scheme*) was out of the small Bundle; I sign'd my Name to each Sheet.

Edward Spear *being sworn and examin'd*, said, My Lord, by a Warrant directed to us from my Lord *Carteret*, Mr. *Turner* and I were to seize Mrs. *Cook* and Mrs. *Mason*; and searching Mrs. *Cook*'s House, I found Mrs. *Mason* there. At Mrs. *Cook*'s I found no Papers in the first Room; I proceeded to a second Room, where there was a Trunk which I order'd to be open'd, and I took two Parcels out of it; one of them was sealed with three Seals, which I looked at; they did not appear to have been open'd and seal'd up again. I open'd them, and mark'd them. Mrs. *Mason* was by when they were open'd. After having look'd upon the Papers, he said, I have look'd upon them, and know them to be the same Papers, the very Papers that were taken out of the Trunk in Mrs. *Mason*'s Room; they were never out of my Custody till I mark'd them. During the time that *Turner*, my Brother Messenger, was gone for Mr. *Stanyan*, I had the Custody of them: None of them were taken away, nor was there any Alteration in, or Addition to them, during that time. Mr. *Turner* set his Name upon them. Immediately after my Brother Messenger return'd back to me, I set my Name upon them. I believe I might stay in the Place an Hour, or an Hour and a half, after the Return of Mr. *Turner*. I believe about half an Hour, or three quarters of an Hour after we first seiz'd the two Bundles, Mr. *Stanyan* came to us; and after Mr. *Turner* and I had sign'd the Papers, I deliver'd them to Mr. *Stanyan*: Upon my Oath it was not before we sign'd them.

*Mrs.* Elizabeth Mason *being sworn and examin'd*, said, Mr. *Layer* left two Parcels of Papers with me: He told me they were of the Value of 500 *l.* He afterwards took them away from me; and afterwards brought them to me again. At first he deliver'd only one Bundle, and that was the largest Bundle: He told me it was of the Value of 500 *l.* and desir'd me to take care of it, and lock it up. The lesser Bundle was deliver'd to me some time after; and after that he took them away from me; and in four or five Days time, he brought them to me again: He took them away, and brought them to me again, and told me they were a few Love-Letters; and beg'd of me not to let Mrs. *Cook* know it, for she would make a Disturbance, and tell his Wife. He desir'd me to take the same Care of the little Bundle, as of the other. They were both seal'd. I put them into my Trunk. He came one Day in the Afternoon to our House, and ask'd where I was. It was the Beginning of *Bartholomew-tide*. I was not at home: He left a Message for me, that I should bring those Writings home. I carry'd them home to Mr. *Layer*'s own House. My Lord, I had two Bundles. He left word that I should bring his Papers Home; for he stay'd at Home till eight a-clock that Night. I went to his House about eight a-clock; and when I knock'd at the Door, the Maid came to the Door. I ask'd her, if her Master was within? she told me, yes; he was in the Back-Parlour; and that there was a Gentleman or two with him. I desir'd her to go and tell her Master that I was there. And he came out to me, and I gave him the Writings; and he desir'd me to come again the next Morning; which was on a *Saturday*, about eleven a-clock, for he was going out of Town: And that I would come and take those Writings again. Which accordingly I did. It was in the Morning, at the time that the Bell was ringing at *Lincoln's-Inn* Chappel, when I went to him, and he deliver'd me the Papers again. It was the Beginning of *Bartholomew-tide*. It was on a *Friday* Night that I went and carried them to his House. It was the next Morning at eleven a-clock, or near the matter, that I went to his House; and he gave me the Writings again, and charged me to take Care of them. I did not open them, I put them in my Trunk: They lay there all the time. They were there when the Officers came. I was there when the Bundles were opened. I mark'd the Papers myself. This is my Mark, (*looking on the Papers, and the Mark which she had set on them when they were first seiz'd.*)

Mr. *Speare* (the *Messenger*) being call'd again, said, I was present at the opening of the Papers, they were seal'd up when I open'd them. I put my Name on them before they were out of my Custody, and Mr. *Turner* put his Name to them, before ever they were out of my Custody. I am sure they are the Papers I took out of the Trunk.

*Mrs.* Mason *being shewn the Papers, said*, those Papers were in the Bundles that were delivered to me by Mr. *Layer*; I have mark'd them: When I gave the Bundles back to Mr. *Layer* on a *Friday*, about the Beginning of *Bartholomew Tide*; he only thank'd me; and desir'd me to come the next Day and take them from him again: Which I did; he mentioned then that he was going out of Town; It was about Eleven-a-Clock on a *Saturday* Morning that I went to him, and he deliver'd the Papers to me again. I cannot write, only can make my Mark: I make but one Mark, and do not use several Marks.

The *Council for the Prisoner doubting whether she might mistake in her Mark, desired she might make her Mark again; A Pen and Ink and Paper being given to her, she set her Mark an E and an* M, *upon which it was said by the* Ld. Ch. Just. (*having compared the Letters made by Mrs.* Mason *in Court, with those on the Papers*) The Character which she now writes is like what she writ on those Papers, and so confirms her Evidence.

*In answer to some other Questions asked her by the Prisoner and his Council, Mrs.* Mason said, I always kept the Bundles of Papers in my Trunk, and no body ever saw them before they were seized by the Messengers. I have no Promise of Reward for giving Evidence here, nor have received any. The Seal of Mr. *Layer* was upon the Bundles when they were seiz'd; Mr. *Layer*'s Seal is something of a Head, but I can't tell what Head; It is a Head, with something of a Ruff about it. *Being shewn the Seal, and looking upon it*, she said, that Head is the Seal of Mr. *Layer*, upon my Oath it is.

After this the Messenger being examin'd, said, At the time that I seiz'd the two Bundles of Papers, there were three Seals upon one, and some Seals upon the other; the Seal was something of a small Head: *And then looking upon the Seal*, he said, that Seal of a Head was upon them when I seiz'd them.

Being examin'd further, in answer to some Questions put to her, she said, He (Mr. *Layer*) had once given me Orders, that if any Letter came directed in the Name of *Fountaine*, that I should take it in; accordingly, in two or three Days time, there came a Letter directed to Mr. *Fountaine*, and I took it in; and when he came I gave it to him, and he open'd it and read it. My Landlady, Mrs. *Cook*, read the Superscription, and told me it was for Mr. *Fountaine*; and she knew he went by the Name of *Fountaine* sometimes. A Porter brought the Letter, and he told me he came from the *Ditch-Side*, and ask'd me if Mr. *Fountaine* lodg'd there. The Trunk that the Papers were in was always lock'd up.

Mr. *Doyley* being ſworn and examined, ſaid, I have known Mr. *Layer* about Seventeen or Eighteen Years; he was my Clerk; 'tis thereabouts, I believe. I believe I do know his Writing. *Being ſhewn the Scheme, and looking upon it, he ſaid*, I believe it is his Hand-writing: I have often ſeen him write; I have had ſeveral Letters from him, ſince he was my Clerk. I can't particularly recollect whether I have ſeen him write any Thing but his Name theſe fourteen Years, or not: It is about Fourteen or Fifteen Years, ſince he was my Clerk: I can't ſay I have, or I have not ſeen him write ſince. It is about Five Years ago, ſince I received any Letters from him. I know thoſe Letters came from him, becauſe he was my Client, and writ to me about Buſineſs; and I anſwer'd thoſe Letters, and did the Buſineſs that he deſired me to do by thoſe Letters, and he paid me for that Buſineſs done. I have compared that Paper, which I ſay I believe to be his Hand, with thoſe Letters: That is what I chiefly found my Belief upon. I have not the Letters in Court; if Mr. *Layer* had deſir'd it, I cou'd have brought 'em. Since he was out of his Clerkſhip I was his Agent. *Chriſtopher Layer*'s Name is ſubſcribed to thoſe Letters. During the Time he was my Clerk, I have ſeen him write; he was but Two Years with me: He had been Clerk with Mr. before. I don't know how old he was when he was my Clerk. I have received Letters ſubſcribed by his Name five Years ago, and the Character of thoſe Letters was agreeable to the Characters that he writ when he was my Clerk. Upon the whole I do believe it to be his Hand.

Mr. *Delafaye* was ſworn and examined, and being ſhewn the Paper (*the Scheme*) ſaid, I was not near enough when he was before the Lords of the Council, to ſee what was upon the Table; neither did I look upon the Table, to ſee whether this Paper was on it or not. But upon the Queſtion that was asked him, relating to ſome Arms, if he knew where any Arms were lodged in ſuch a Place, he ſaid, No: Upon which one of the Lords of the Council held up a Paper; it might be this, for ought I know, and ſaid, Here is your own Paper, your own Hand-writing; which ſays, Arms that are there lodged; ſays he, I ſhould have writ Arms that ſhould be there lodged. The Queſtion was not ask'd, Is this your Paper and your Hand-Writing? But it was ſhewn to him as ſuch; and he ſaid, I ſhould have wrote Arms that ſhould be there lodged.

Mr. *Stanyan* being ſworn and examined, ſaid, Upon the Queſtion that was ask'd him (*Layer*) about the Arms, this Paper was ſhewn him; I think this is the Paper: I was nearer to the Table than Mr. *Delafaye*, and did obſerve this Paper to lie upon the Table before the Lords, and do take this to be the individual Paper that was ſhewn him then. The Queſtion was ask'd him, What he knew of any Arms that were lodg'd in *Weſtminſter*? He ſaid, he knew of none. Then this Paper was ſhewn to him, and a Queſtion was ask'd him; Here the Arms are ſaid to be lodg'd in this Scheme of your own Hand-Writing; how came you to write ſo, if there be no Arms lodg'd? Mr. *Layer* ſaid, It was a Miſtake: It was not intended Arms that are there lodged, but Arms that ſhou'd be there lodg'd. He ſaid, I ſhould have writ Arms that ſhould be lodged, inſtead of Arms that are lodg'd. The Queſtion was concerning a Paper of his own Hand-writing: It was concluded, that the Paper was of his own Hand-writing, and he did not deny it. I believe the Queſtion was not ask'd, whether that Paper was his Hand-writing or no: He did not expreſly own it to be his Hand-writing. He did not deny it to be his own Hand-writing; it was taken for granted that it was ſo, and he made no Offer to deny it. The Lords ask'd him to explain that Part of the Scheme relating to Arms; and when he ſaid he knew of no Arms that were lodg'd, then ſaid they, how come you to mention in this Scheme of your own Hand-writing, Arms that are lodg'd? To which he anſwered, I ſhou'd have writ Arms that ſhou'd be lodg'd.

After this Mr. *Hungerford*, of Council for the Priſoner, among other Things, ſaid; *I perſonally know* the Gentlemen belonging to the Secretaries Office (*Mr.* Stanyan *and Mr.* Delafaye) *to be Gentlemen of good Senſe, Integrity and Honour, and for my Part I believe every Word they ſay.*

After this the Council for the King offered the Paper (*the Scheme*) as a ſtrong Evidence corroborating and confirming every Thing which had been ſworn by the Witneſſes, and it was read by the *Clerk of the Crown*, as follows,

The SCHEME.

*Au défaut de la force, il faut employer la ruſe.*

1. LET the General, and only one Officer of Note in the Camp, agree upon a Day for Execution.

2. Let the Officer that Day put himſelf on the *Tower-Guard*.

3. And as there is eight Serjeants (*viz.*) three of the firſt Regiment of Foot-Guards, three of the Second, and two of the Third, all ready at an Hours warning to obey Orders; early that Morne, let the Officer ſee a ſingle Perſon, namely *George Wilſon*, who manages theſe Serjeants, and give him Directions to bring them all to ſome convenient Place at four that Afternoon.

4. Then the Officer muſt give each Serjeant Money ſufficient for that Purpoſe, and direct 'em, that each Serjeant order twenty-five Men (making together 200, which they have ready) to go ſingly out of the Camp, and meet together at Church-yard, exactly half an Hour paſt Eight in the Evening, when and where another *Officer* that they know, muſt meet 'em, and take the Command, give 'em Muskets ready loaded, and March with them in a Body to the *Tower-Gate* at 9 that Night exactly.

5. Our Friend, the Officer within, muſt preciſely at that Hour of 9 be on the Guard at the *Tower-Gate*, and ſeeing this Body of Men appear, order the Garriſon to let 'em in, as a Recruit ſent to the *Tower-Guard*.

6. As ſoon as ever they have entered to ſeize the Arms at the *Tower-Gate*, ſhut the Gate up, and ſecure every one in the Tower, that the Officer on Guard gives them Orders to ſecure, but not to ſhed any Blood.

7. The *Tower* being thus ſeized, to leave only a ſmall Guard there under that Officer who lets 'em in, and then, with all thoſe that join you, march directly to the *Exchange*, where the great Doors muſt be ready opened, and the *General* there in Perſon.

8. At the exact Hour of 9, that the *Tower* ſhall be thus ſeized, the Perſons of ſome great Men to be arreſted *at their Houſes*, brought directly into the City, and delivered to the General

9. That upon our Meeting at the Exchange, the annexed Proclamation to be ſpread about; the Gates of the City to be ſhut up, and Pieces of Cannon brought down againſt 'em; but every Man that deſires to enter the Gates, before any regular Force appear, to be admitted to come in; and after the General has appointed a Guard at each Gate, and Inlets of the City, with proper Officers to command there, let him march back to *Tower-Hill*, for a Place of General Rendezvous under the Cannon of the *Tower*, and order the Lord Mayor a good Guard to watch over the *Bank*; but firſt take Money from thence to the *Tower*, in order to pay the Men.

10. That on the Morne of this ſame Day, our General to have an Interview with ſome other *principal* Officer of the Camp, and order him to engage all Friends to attend at their reſpective Poſts, and expect a * Token to be ſent to each of them as that very Night, on receipt of which Token they are to draw their Men out, and march directly to the *Artillary in the Camp*, as a Place of General Rendezvous; and that the Captain of the Artillary may not be alarm'd, let this *Principal Officer* previouſly ſend a Meſſage to him, that Orders are come from the General (*Cadigan*) to double the Guard of the Artillery, on a Rumour that is ſpread of the Mob being up in the City.

11. The Party being come to the Artillery with the ſaid principal Officer at the Head of 'em, let 'em immediately draw the Guns round 'em, and ſtand upon their Defence, without making any Declaration, until the ſaid principal Officer, who Commands in chief there, receives certain † Intelligence from our General that the *Tower* is ſeized upon, and the City all in Arms; and then under a Pretence of ſecuring the King's Perſon from the Inſults of the Mob, let this Officer make a Detachment to take him into Cuſtody, and ſend him into the City to the General at the *Tower*.

12. To facilitate theſe Proceedings, let the General the ſame Day ſpeak to the *Horſe Officers* in the Camp, who he knows to be our Friends, and upon the very firſt Alarm of the City's having revolted, let 'em march their Men to either *Ludgate* or *Newgate*, on pretence to ſuppreſs the Mob; and when they are at the Gate, as a Token of their being Friends, let the Watch-word be *This Morning*, and upon giving us the Word there, to ope the Gates and let 'em in, and as ſoon as they are entered, to march directly to *Tower-hill* and join themſelves with the General there.

13. Let the General alſo the ſame Day, order 4 of the Half-pay Captains to take upon 'em the following Commands, (*viz.*)

14. Firſt Captain to go into *Southwark*, and exactly at the Hour of 9, to make a Bonfire in the Fields there, and give ſome Money among the Mob, and when you have got a Number together, ſend an Account to the General, take the Arms that muſt be lodged there, and diſtribute out amongſt 'em to your Acquaintance in the firſt Place, and to thoſe

* *It may be a Note in Writing thus, Sir, I'll meet you at 9 to Night, don't fail me.* J. S.

† *A verbal Meſſage by a third Perſon that muſt be by, when the General and this Chief Officer conſult together in the Morne.*

which

which they recommend, and then iſſue out the Declarations, and after the Receipt of a Token from the Captain next mentioned, who is to command in *Palace-yard*, to ferry over thither in Lighters, with the Watch-word *This Morning*, and join the Captain in *Palace-yard*.

15. Second Captain exactly at the Hour of 9, to be in *Privy-Garden* adjoining to *White-hall*, with a few Gentlemen armed, and ſeize upon the great Guns there, and then ſpread the Declarations, and ſtay there under the Cannon till a greater Body join you from *Southwark*; or otherwiſe nail up the Cannon, and march directly to the next Captain in St. *James's Park* with the Watch-word *This Morning*, and then ſend the Token, as above, to the firſt Captain in *Southwark*, and let the Meſſenger you ſend, conduct him and his Men to you in St. *James's Park*.

16. Third Captain, at the ſaid Hour of 9, to go into St. *James's Park*, with the Key that is given you of the private Door out of *Arlington-ſtreet*, and appoint only ſome few Gentlemen to meet you there exactly at that Hour and ready, one to have the Watch-word you give 'em, which muſt be *This Morning*. Let your firſt Rendezvous be at the little Grove under the Wall near the Gate leading to *Hyde-Park*; and there you'll meet Fire-Arms ready charged. Then march down to the Parade next the Horſe-Guard, and ſeize upon the Cannon there, and Ammunition in the Store-houſe, and the better to ſecure St. *James's Park* for a Place of general Rendezvous, you ſhall have an Officer out of the Camp exactly at the Hour of 9 come to your Aſſiſtance with ſome Men, as he and you ſhall agree in the Morne of this Day; and as ſoon as you have ſeized the Cannon here, and Ammunition aforeſaid, you are to put your ſelves in a Poſture of Defence, and publiſh the Declaration, and ſend forthwith to the General at the *Tower* to let him know of your Situation, and alſo ſend to the Captains in *Palace-yard*, *Southwark*, and *Tuttle-fields*, that they immediately come and join you.

17. Fourth Captain, exactly at the Hour of 9, the Evening of the ſame Day to be in *Tuttle-fields*; raiſe the *Weſtminſter* Mob there, and with the Arms that are there *lodged*, equip 'em as you can; publiſh the Declarations, and march directly to St. *James's Park*, and join with 'em there, who, on your giving 'em the Watch-word, are to admit you into the Park.

18. So here being two Bodies of Men thus gotten together the firſt Night, *viz.* one on *Tower-hill*, and the other in St. *James's Park* (beſides our Friends at the Artillery in *Hyde-Park*) the next Morning, if not ſooner, let our *General* order a Detachment to *Lincoln's-Inn Fields*, and ſome Cannon to be placed on the Terras of the Garden there, leſt the Enemy come in there between St. *James's Park* and the City.

19. A proper Captain muſt be appointed to head the Watermen belonging to the *Thames*, and previous to the Day of Execution, he muſt agree with the Duke's Bargemen, that upon the leaſt Notice to be given 'em, that they alarm all the Watermen, and bring 'em to a Rendezvous the ſame Hour of 9 that Night of Execution; and this Captain's Rendezvous muſt be at *Greenwich*, where he muſt ſeize the Magazine of Powder, and to take out ſuch Part of it as each Man will carry, then blow up the reſt, march from thence to the *Tower*, and join his Men with the General there; to whom he muſt firſt ſend a Meſſenger with the Watch-word, and an Account of his Numbers.

20. Some Time before Execution, the General to ſend a Meſſenger to particular Men in the Country, that they riſe in their reſpective Countries upon the firſt News of what is done here.——

21. An Officer, &c. to go to *Richmond*, and at the exact Hour of Nine to ſeize upon Prince *Pritty Man*, and bring him away to *Southwark* to ſome particular Place appointed, where an Agent from the General muſt meet 'em with his further Orders.

After this the Council for the King produced ſome Receipts ſubſcribed by the Name of *James* R. found among the Papers in the Bundles, and the Clerk of the Crown read one of them.

*I acknowledge to have received from*
*the Sum of* *which Sum I promiſe to*
*repay with an Intereſt for it at the Rate of* per Ann.
*James* R.

And the *Clerk of the Crown* ſaid, here are ten of them that are the ſame.

Mr. *Stanyan* being asked if he remembred whether any Queſtions were asked him, (Mr. *Layer*) with Relation to theſe Receipts, ſaid, Upon the Lords asking Mr. *Layer* the meaning of thoſe Receipts ſigned by the Pretender, and what Uſe he made of them, he ſaid, that during the Time he was at *Rome*, he had ſettled a Correſpondence with Sir *William Ellis*, and ſome Time afterwards he writ to Sir *William Ellis* according to the Directions he gave him, and he told him, if he could ſend any Receipts ſigned by his Majeſty, or the King, as he call'd him, he thought Money might be rais'd upon them for carrying on the Cauſe; theſe were the Words, as near as I can remember. He had appointed to correſpond with Sir *William Ellis*, and Sir *William Ellis* gave him his Addreſs, how to direct to him, and he acknowledged to have received a Letter or Letters from Sir *William Ellis*, in the Name of *Jones*, and that he writ to him in Anſwer to 'em. I think they are near the Words, but I am ſure they are the Purport of them. It was a very long Examination, about four or five Hours. The Lords ſent to me, to aſſiſt Mr. *Delafaye*, upon Mr. *Layer*'s being Examined. Mr. *Delafaye* took the Heads of the Queſtions propounded; and I ſat near the Table, look'd over Mr. *Delafaye*; attended to the Queſtions and Anſwers; ſo that we could ſet one another right when we came to conſider them. What we wrote was not read over to the Priſoner. I believe he ſaw us write. The Lords ſpoke thus; *Pray take Notice*, and then take down ſuch a Thing, and ſuch a Thing; and I believe Mr. *Layer* heard them ſay, *Take down that, and take down that.* Mr. *Delafaye* wrote down the Queſtions and Anſwers. I ſat ſo that the Poſition of Mr. *Layer*, with reſpect to me, was on one ſide. I was in the Room when Mr. *Layer* came in firſt. I called in Mr. *Layer* by the Lords Order. It was never read to him. I will tell you what we underſtood by it: It was the Minutes of an Examination to be drawn out in Form; but the Lords finding Mr. *Layer* not ſo candid and ingenuous as they thought he would have been, did not ask him to ſign it; and we only make uſe of it to refreſh our Memories. When the Lords directed Mr. *Delafaye* and me to write this or that particular Thing, the Priſoner was ſo near, that in my Apprehenſion, he might hear their Lordſhips give ſuch Directions.

*Theſe Minutes of the Examination were not offered to be read as Evidence, it having not been either read to Mr.* Layer *at the time he was examined, nor ſigned by him; but the Witneſſes gave an Account, of his Confeſſion, viva voce, and look'd to their Notes to refreſh their Memories.*

Mr. *Delafaye* being ſworn and examined concerning what Mr. *Layer* did confeſs at the time of his Examination before the Lords of the Council, ſaid, He told the Lords, that he did write to Sir *William Ellis*, that he would ſend over ſome Blank Receipts under the King's own Hand, that might be made Uſe of, for the carrying on his Cauſe: That he did receive ſuch Receipts, and his Intention was to have tried his Friends; and to have raiſed Money on thoſe Receipts. For a Precedent, he ſaid, a little before the Reſtoration of King *Charles* the Second, a Method of this Kind had been uſed.

Mr. *Att. Gen.* (*addreſſing his Diſcourſe to the Court*) ſaid, My Lord, we ſhall now proceed to read the Letters that were ſent and paſs'd between them, Sir *William Ellis* and Mr. *Layer*. But it will be proper firſt to lay before you the *Cyphers* (found among Mr. *Layer*'s Papers) which they made uſe of to explain ſeveral Cant Words and Expreſſions, which they us'd in their Letters. I don't know whether we ſhall trouble your Lordſhip to read the whole *Cypher*; it is very long, but when we meet with a Word in the Letters which wants Explanation, we may have Recourſe to the *Cypher*.—Read the Letter N° 38.

*Cl. of the Cr.* reads. This Letter is ſign'd *Edward Jones*, &c.

*Dear SIR,*

*I Receiv'd with a great deal of Pleaſure and Satisfaction, a Letter of the 14th of* November, *from my worthy Friend, with an Account of his ſafe Arrival at* [illegible] *I was in ſome Doubt before, and in no ſmall Pain on that Account: I eaſily conceive, he muſt needs have had a great deal of Buſineſs on his Return, as well of his Uncle's as of his own, and therefore, I don't think much that I heard no ſooner from him, believing he was much better imploy'd, and that Buſineſs is to be preferr'd before Compliment.*

*I was entirely of his Opinion, as to the Method of carrying on the* Manufactory; *the procuring of good Workmen, is the firſt Step to be made, and if he can get ſuch, the reſt will be eaſy; and particularly, if he could gain ſome of the ableſt of Mrs.* Barbara Smith's, *I know it would be very agreeable to all concern'd, and particularly to Mr.* Atkins, *to whom he ſpoke of Writing; and which, I am ſatisfied, will be very acceptable: And if he thinks fit to incloſe it to me, I ſhall convey it ſafely to his Hands, who, I find, was very glad to hear of him, counts very much upon his Friendſhip, and hopes for the Continuance of it.*

*I made*

*I made his Compliments to Mr.* Timothy Watſon's *Wife, who took them very kindly, and returns hers, with her moſt humble Service. She and her Charge are very well, God be prais'd, as are alſo all Friends here.*

*He having read over ſeveral times the Paper I ſhew'd him, and having a good Memory, I don't think it neceſſary to ſend a Copy of it.*

*I am with great Eſteem and Reſpect, ever moſt entirely,*

30th *January.* *Dear SIR,*

For *James Fountain*, Eſq; to be left at *Howell's Coffee Houſe*, in great *Wild-Street*. LONDON.

Your moſt affectionate, moſt humble and moſt obedient Servant, *Euſtace Jones.*

Mr. *Stanyan* ſaid, my Lord, he did ſay, that he had received a Letter ſince he had ſettled a Correſpondence with Sir *William Ellis*, ſubſcribed by the Names of *Jones*.

Mr. *Att. Gen.* ſaid, In the *Cypher* Sir *William Ellis* is called *Jones*. Your Lordſhip will be pleas'd to obſerve the Expreſſions in this Letter, the procuring good *Workmen*: Now look into the *Cypher*, and *Soldiers* are meant by *Workmen*; a Manufactory is not in the *Cypher*, but I don't know for what a Manufactory they wanted *Soldiers*, unleſs to raiſe a Rebellion. The Ableſt of Mrs. *Barbara Smith's*; look for *Army* in the *Cypher*, and you will find, that it is ſignified by *Barbara*. It will be very acceptable to all concern'd; and particularly to Mr. *Atkins*, in the *Cypher* that is the *Pretender*. Compliments to Mr. *Timothy Watſon's* Wife; look in the *Cypher*, and *Timothy* ſtands for *Hughes*, whoſe Wife is Nurſe to the *Pretender's* Child. This Letter is directed for *James Fountain*, Eſq; to be left at *Howell's-Coffee* in *Great Wild-Street*, and I obſerve, Mrs. *Maſon* ſaid the Priſoner went by the Name of *Fountaine* —— No. 10 are Six fictitious Names, and the Key to them: Read it.

*Cl. of the Cr.* reads No. 10.

*Digby* —— *Dillon.*
*Orvery* —— *Burford.*
*Regent* —— *Steel.*
*Tories* —— *Tanners.*
*Wiggs* —— *Waggs.*
*Rogers* —— *Plunkett.*

Mr. *Att. Gen.* Read the Letter No. 40.

*Cl. of the Cr.* reads, ſign'd *N. C.* Dated the 11th *July*, 1721.

*Dear SIR,* The 11th *July*, 1721.

*I Receiv'd with all poſſible Satisfaction your moſt affectionate Letter of* 8th May *with its incloſ'd, which was preſently deliver'd to Mr.* St. John, *who took it extream kindly; but could not well* underſtand what relates to Mr. Burford; *he hopes, your Anſwer to what I writ, in the Beginning of laſt Month, may ſoon clear that: You will have ſeen, by what I then told you, that the former came ſafe to his Hands, and the Reaſon of your not having had a diſtinct Anſwer to it. He had the many Thanks for Stockins you ſent for him, and returns you Affection and Concern for him and his, and will be ready to ſhew his Senſe thereof on all Occaſions. I am in earneſt Expectation of hearing ſoon again from you, and am, with all poſſible Affection and Eſteem,*

*Dear SIR,*

For *James Fountain*, Eſq; to be left at *Howell's Coffee-Houſe* in great *Wild-Street*, London.

Your moſt faithful and moſt humble Servant, *N. C.*

Mr. *Att. Gen.* My Lord, we do not know who that *N. C.* is, it is directed to *James Fountain*, Eſq; *Mr. St. John* in the *Cypher* ſignifies the *Pretender*.

Mr. *Sol. Gen.* Mr. *Burford* appears to ſtand for my Lord *Orvery* in the little *Cypher*. Read the Letter No. 41.

*Cl. of the Cr.* This is dated the 27 *May*, it is ſign'd by no Body, not directed to any Body; The Cover is off: *I receiv'd with a great*, &c.

*SIR,* 27. *May.*

*I receiv'd with a great deal of Pleaſure, the Favour of your moſt obliging Letter of* 22d March, *with an incloſed for our Friend, who was very glad to hear from you; and is very ſenſible of, and takes very kindly, the Care you take of his little Concerns there; but ſays, he doth not ſufficiently underſtand the State you ſent, ſo as to be able to make a particular Anſwer, till you ſhall further explain it; there being ſome Tenders, mention'd by you, whoſe Names he does not find in the Rental*, as Burford, Steel, Digby, the little Soldier, and Simmons; *the latter, he believes ſhould be* Simmes, *he is of the North, a Grey hair'd ancient Man, whom he very well remembers, and has a particular Eſteem and Value for, as a very good Tenant, and a very honeſt Man.*

*All Friends here are in perfect good Health, God be thanked, and remember themſelves kindly to you, and I am moſt entirely,* Yours, &c.

Mr. *Sol. Gen.* If you look into the *Cypher* you will find *Rental* ſtands as the fictitious Name for the *Cypher* itſelf, *Burford* ſtands for the Lord *Orvery*, *Steel* for the *Regent*, and *Digby* for *General Dillon*.

*Simmons*, he believes ſhould be *Simmes*, but *Simmons* in the large *Cypher* is put for *Lord North and Grey*; and who is meant, appears pretty plain from the Cant which follows. *He is of the North, a grey hair'd ancient Man, whom he well remembers, and hath a particular Eſteem and Value for, as a very good Tenant and a very honeſt Man.* The Uſe we make of theſe Letters is to ſhew, that Mr. *Layer*, who took on him the Sham-Name of *Fountain*, by which Name ſome of theſe Letters are addreſſed, had a Correſpondence with the Friends of the *PRETENDER* at *Rome*. That this Correſpondence related to a Conſpiracy, which was form'd and carrying on here; and it appears, they took upon them to mention ſeveral Perſons of Diſtinction under a kind of Jargon.

Mr. *Att. Gen.* The firſt Letter, wherein is mentioned the carrying on the *Manufactory*, the procuring good *Workmen*, and particularly, if he could gain ſome of the ableſt of Mrs. *Barbara Smith's*, and that it would be very agreeable to all concern'd, and particularly to Mr. *Atkins*, which is the Name for the *Pretender*; ſhews, that the Agents of the *Pretender* at *Rome*, had laid Deſigns to procure Soldiers, and thoſe, if poſſible, out of his Majeſty's Troops; which falls in with the Evidence we have given of the Priſoner's Endeavours to get Soldiers and Serjeants out of the Army. Then the Council for the King laid before the Court the Liſts of ſeveral Perſons Names that are in the Army.

No. 7, out of the large Bundle was read, being a *Liſt* of Officers Names with Marks and Numbers to ſome of them.

Mr. *Att. Gen.* We did mention before, that there were the Names of ſeveral Perſons of very great Honour and Loyalty to his Majeſty in ſome of the Liſts; but this is to ſhew, that the Priſoner was conſulting how he might get an Account of the Number of the Forces; as, how many Colonels, how many Captains, and how many Soldiers there were in the Guards and other Troops of his Majeſty.

*Cl. of the Cr.* reads, No 5. in the large Bundle. A Liſt of Officers of the Second, or *Coldſtream* Regiment of Guards.

Mr. *Att. Gen.* ſaid, We make the ſame Uſe of this to ſhew, that he was ſearching and examining to get an Account of the Guards. He is taking a Survey of the Perſons that were of the Guards, that he might be capable of making a Judgment, and to know their Strength: Look out No. 6. in the large Bundle.

*Cl. of the Cr. reads* No. 6. A Liſt of Officers in the Firſt Troop of Horſe-Grenadiers, the Names being diſtinguiſhed by different Letters.

No. 7. Out of the ſmall Bundle. A Liſt, &c. here are 11 of them put down.

*Cl. of the Cr.* reads No. 8. in the large Bundle. A Liſt, &c.

Mr. *Att. Gen.* Your Lordſhip will obſerve, that this is a Liſt of ſome Perſons Names, and the Numbers of Horſes and Men they were to provide. The laſt was read, as importing an Account of what Quotas ſeveral Perſons were to find.

*Cl. of the Cr.* reads No. 15. in the large Bundle, containing divers Names, with Numbers ſet againſt ſome of them. No. 20. Containing a Liſt of the Great Officers of the *Tower*. N. 21. Containing Names of Officers of the Second Troop of Horſe Guards, Second Troop of Horſe Grenadiers; and Fourth Troop of Horſe Guards. No. 22. Containing a long Liſt of Names. No. 23. Containing Names of Officers of the Firſt, Second, Third and Fourth Troops of Guards. No. 24. Containing the Names of Two Officers of the Horſe Guards. Here is upon one of the Liſts a Dott, and on the other Side there is a Dott; and in two or three Places ſome Men mark'd and croſs'd.

*Cl. of the Cr.* reads No. 25. Containing a Liſt of Officers, Five of them marked to be *not bad*. The Words *not bad* appear to me to be of the ſame Hand Writing.

*Cl. of the Cr.* Reads the Title of No. 22. and ſays, Here are a great many Peoples Names, with Marks upon ſome, and none upon others: Upon one of them is writ *William Johnſon, to be gained.*

*Cl. of the Cr.* Reads No. 27. A Liſt of the Third Regiment of Guards; againſt ſeveral of which Names are Dots and Marks. Reads No. 28. A Liſt of the Officers of the *Coldſtream* Regiment of Guards; and a Liſt of the Officers of the *Scotch* Guards. *Reads* No. 35. A Paper, containg an Account of the Numbers of the Officers and Soldiers in the Firſt, Second, and Third Regiment of Foot Guards.

Mr. *Stanyan* being examined concerning what Mr. *Layer* confeſſed before the Council about his being at *Rome*, ſaid, Mr. *Layer* did acknowledge he had been at *Rome*, and returned from thence in *July* 1721. He ſaid he had two Cop-

Conferences with the *Pretender*. The Lords ask'd Mr. *Layer*, if he had ſeen any Declaration? he ſaid No, he had only the Heads of one which he drew himſelf: The Lords ask'd him where that Declaration was? he ſaid, he believed one *Wilſon* had it. He ſaid, the only Perſons that had ſeen it were that *Wilſon*, one *William Jeffries*, a *Nonjuring Parſon*, and one *Lynch*. He mentioned to have ſhewn it to *Lynch* on his Way to my Lord *North* and *Grey*'s at the *Green Man* at *Epping*. He ſaid, that he went to my Lord *North* and *Grey*'s, and dined at the *Green Man* as he went; then he carry'd Mr. *Lynch* to my Lord *North* and *Grey*'s, and recommended him to my Lord *North* and *Grey* as a proper Perſon to be employed in an Inſurrection; Mr. *Layer* uſed thoſe Words, I am very poſitive; and that *Lynch* having told *Layer* before that he would ſeize the Earl of *Cadogan*, that *Layer* did mention him to my Lord *North and Grey*, as a proper Perſon for ſuch an Attempt. He ſaid my Lord *North* and *Gray* received him civilly; he ſupp'd there and lay there that Night, and they dined there the next Day. I don't know whether it was juſt at Dinner, or afterwards: But he ſaid ſeveral Healths were drank, which were begun by my Lord *North* and *Grey*; and after Dinner there came in a Man they called a Citizen, they drank the Pretender's Health, his Wife and the young Prince. What the Priſoner ſaid about the Chriſtning of his Child was, when he confeſſed before the Lords, that he was at *Rome*; in the Conference he had with the Pretender, he took Occaſion to ſpeak of the Diſcontents of the Nation, which had been occaſioned by the Loſſes ſuſtained in the *South-Sea*. The Pretender ask'd him, if he knew any Perſons of Diſtinction in that Caſe? He ſaid, that he knew a great many that were well affected to his Intereſt; that he was not acquainted with People of Quality: But that he knew ſeveral of good Eſtates, that were very well affected to his Intereſt. Upon this the Pretender ask'd him ſeveral Queſtions; ſays he, It muſt be very Expenſive to you to come hither to *Rome*, it muſt coſt you 500 l. No, ſaith he, not above half ſo much. Then the Pretender praiſed his Zeal, and commended him: After that Mr. *Layer* ask'd the Pretender to give him ſome Tokens or Credentials, that he might have ſomething from his Majeſty, that would be a Means of his gaining Credit among his Friends here. He ſays, the Pretender ſcrupled that: Then Mr. *Layer* propoſed afterwards, that the Pretender's Wife ſhould ſtand Godmother to his Daughter, to Mr. *Layer*'s Daughter. That afterwards Col. *Hay*, to whom he was introduced at the Pretender's Court, brought him Word, that the Pretender's Wife would ſtand as Godmother to his Child: But then the Queſtion was, Who ſhould repreſent her? And after ſome Time it was propoſed to Mr. *Layer* to find out a fit Perſon to repreſent her. Mr. *Layer* propoſed the Dutcheſs of *Ormond*, which was agreed to; after that the Pretender agreed to ſtand Godfather with his Wife, and then the Point was, who ſhould repreſent him: And Col. *Hay* told him, that he muſt take Care of that, to find a proper Perſon to repreſent his Majeſty.

When he came into *England*, he ſaid, he applied himſelf to one Mr. *Thompſon*, to ſpeak to my Lord *Orrery* to ſtand to repreſent the Pretender, with the Dutcheſs of *Ormond*: But he ſaid my Lord *Orrery* declined it; and afterwards he got my Lord *North and Grey* to ſtand. That Mr. *Thompſon* did chriſten his Child, my Lord *North and Grey* and the Dutcheſs of *Ormond* ſtanding as Proxies for the Pretender and his Wife; my Lord *North and Grey* did ſtand to repreſent the Pretender, and the Dutcheſs of *Ormond* to repreſent the Pretender's Wife, knowing they did ſo.

And he was ask'd by the Lords, Who were in Company at the Chriſtning? He ſaid, Only the Dutcheſs of *Ormond*, my Lord *North and Grey*, Mr. *Thompſon* the Miniſter, himſelf, and his Wife, and another Woman, at whoſe Houſe the Chriſtning was performed: But, he ſaid, ſhe was not preſent in the Room, though ſhe aſſiſted at the Chriſtning. This Chriſtning was about the Spring; I can't aſcertain the Time. He told them of my Lord *North and Grey*'s being at the Head of theſe Deſigns. He ſaid, he told my Lord *North and Grey* that he had acquainted *Lynch* with his Lordſhip's being at the Head of this Deſign, therefore Mr. *Lynch* had expreſſed a great Deſire to wait upon his Lordſhip.

Mr. *Delafaye* being deſired to give an Account of what Mr. *Layer* confeſſed, ſaid, When he was examined before the Lords of the Council, relating to his being at *Rome*; Mr. *Layer* declared to the Lords of the Council, that he had been at *Rome*, that he had had two Conferences with the Pretender, that he had acquainted the Pretender with the Diſaffection of the Nation, with Reſpect to the Loſſes, that had been ſuſtained by the *South-Sea*. He ſaid, in general the Nation was well affected, and that he knew Perſons of Eſtate, not Quality, that were in his Intereſt: Then he propoſed to have Credentials or Tokens of the Pretender's Regard to him, which was not granted him: Then he deſired the Pretender's Spouſe ſhould ſtand Godmother to his Child; the Pretender ſaid he would conſider of it; Col. *Hay* afterwards brought him Word, that ſhe conſented; then there were ſome Conferences, who ſhould repreſent her. Col. *Hay* brought Word to Mr. *Layer*, that the Pretender's Spouſe conſented to ſtand Godmother to his Child; and it was agreed the Dutcheſs of *Ormond* ſhould repreſent her; he deſired a Credential or Token to the Dutcheſs of *Ormond*. *Hay* told him, without that ſhe would ſtand; only, ſaith he, carry a Meſſage, that the Duke is well, and gone to *Madrid*, and ſhe wou'd do it; and *Layer* deſired to know who ſhould ſtand as Godfather, why the King himſelf, that is the Pretender; and *Layer* deſired to know who was to repreſent him; he deſired to be excuſed, but *Layer* would find out one upon his Return into *England*, that was proper for that Purpoſe. When he came into *England*, he was at a Loſs for a Perſon to repreſent the Pretender; he went to Mr. *Thompſon* to adviſe with him about it, who went to my Lord *Orrery*, to deſire him to ſtand as Proxy for the Pretender; my Lord *Orrery* declined it; then he went to my Lord *North and Grey*, who accepted it; the Child was Chriſtned; it was at *Chelſea*, I take it, at a Houſe, where there was a *China* Shop. It was in the Spring, what Day I can't tell. That he ſaid there was his Wife, my Lord *North and Grey*, who ſtood for the Pretender, and the Dutcheſs of *Ormond*, who ſtood for the Pretender's Wife, the Woman of the Houſe, but ſhe was not within the Room at the Chriſtning. Mr. *Layer* own'd that he had drawn Heads of a Declaration; and that, when he was going to my Lord *North and Grey*'s, he did ſhew it to Mr. *Lynch* at the *Green-Man*, as he was on his Way thither. He ſpoke of his recommending *Lynch* twice; that Mr. *Lynch* having told him he would ſeize my Lord *Cadogan*, he did recommend him to my Lord *North and Grey*, as a proper Perſon for that Attempt. The ſecond Time that he recommended him, he had propoſed carrying *Lynch* to my Lord *North and Grey*'s, he having told him that he was a very honeſt Man, fit to be concerned in an Inſurrection. That *Layer* having told *Lynch* his Lordſhip was to be at the Head of the Deſign, *Lynch* was impatient to wait upon him.

Mr. *Stanyan* being asked whether he was at Mr. *Layer*'s Houſe when he was ſeized, and being deſired to give an Account what Arms there were there, ſaid, Juſt after Mr. *Layer* was ſeized I came in, he was juſt got out of his Bed; I obſerved in the Room, where he lay, there were a Pair of Piſtols hung by his Bed Side, and between them a Horſeman's Sword, a riding Sword, a pretty large Sword, on the other Side of the Bed next the Chimney a little Caſe of Piſtols, and another Sword hung in another Part of the Room. In the Cloſet of the ſame Room we look'd, and I ſaw two Carbines or Guns, and two Muſquetoons or Blunderbuſſes; ſeeing ſo many Arms? I went to handle ſome of them, upon which he ſaid, Have a Care, they are loaded, don't meddl with them; upon that I ask'd him what he had to do with ſo many Arms; he anſwered, You muſt know my Clerk and I are great Shooters, when we are in the Country. In another Room, looking further, we obſerved ſeveral Moulds for the making of Bullets. There was alſo a Cartridge-box, and a Number of Cartridges ready made up, as near as I can gueſs (I did not count them) there were about 40 or 50 of them. There was a Gentleman of the Army, and he ſaid they were ſuch Cartridges as were uſed in the Army. When Mr. *Layer* was before the Lords of the Council, the Lords asked him what he did with forty or fifty Cartridges ready made up? He ſaid they were made up by *Bowers* the Gunſmith; and that, if there was any Diſturbance in the Nation, he ſhould have occaſion for them.

Mr. *Delafaye* being asked, If he was by when Mr. *Layer* was asked (*by the Lord of the Council*) the Queſtion about theſe Arms, anſwered Yes; He was ask'd what he did with ſo many Cartridges and Arms, and he ſaid they were proper for his Uſe, if there ſhould be any Diſturbance in the Nation.

Col. *Huske* being ſworn, and examined, ſaid, I was by when theſe Arms were ſeized in Mr. *Layer*'s Houſe; there were two Caſes of Piſtols, two Fuzees, and ſome other Arms, and a Blunderbuſs, and two or three Swords; there were above 40 Cartridges ready made up in the uſual Manner, as they are made up, when our Soldiers are to Charge their Pieces for Expedition in Caſe of Action. There was a Mould for Muſket-balls. I can't tell but a Muſket-ball may go into a Fuzee. Theſe very Cartridges were only fit for the Army. I did not try if they were fit for the Muſket. A Cartridge, that is fit for a Fuzee, will go into a Muſket. The Bore of a Fuzee may be made as large as that of a Muſket. I am ſatisfied that thoſe Cartridges that were there would ſerve for the Fuzee, and the ſmalleſt Arms there, except the Piſtols. I do believe thoſe Bullets made into

Cartridges would fit the two Fuzees that I saw. I opened a Cartridge, and there was a Ball made up at the End of each Cartridge.

Mr. *Smeybert* was ſworn and examined, and ſaid, I know the Priſoner at the Bar; I ſaw him at *Rome* about a Year and a Half ago: He was there, I think, about a Week or a Fortnight. I left *Rome* firſt.

Mrs. *Hay* being ſworn ſaid, I ſaw the Priſoner at *Rome* laſt Summer was Twelvemonth, I can't tell exactly what Time, but it was laſt Summer was Twelvemonth: I am ſure I ſaw him there.

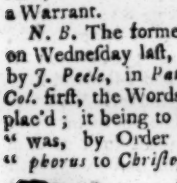
Mr. *Squire* was ſworn, and ſaid, I know the Priſoner at the Bar. He was taken the Eighteenth Day of *September* laſt, and he was in my Cuſtody. The next Day after he was taken, he lifted up the Saſh of the Window of a Room two Stories high, got out, and made his Eſcape. He had not been gone long before I found he had made his Eſcape, and underſtanding which way he went, I immediately purſued him, and I took him in a Lane going towards St. *George's Fields*. He ſaid, he was very ſorry to ſee me: I ask'd him how he could offer to go away from me? and he ſaid, every Body elſe would have done the ſame in his Condition, and that no Body could blame him for it, becauſe he looked upon himſelf in ſuch a bad Condition, and ſo much Danger; he ſaid, no Body could blame him becauſe he was in that Condition.

*James Peterſon* was ſworn, and ſaid, Mr. *Layer* was in Cuſtody at my Father's Houſe, in Mr. *Squire's*, in a Room up two Pair of Stairs backwards. I was Abroad when he got away.

*John Sweete* was ſworn, and ſaid, I ſaw the Priſoner juſt going into St. *George's Fields*. I was the firſt that took him. He ſaid, For God's ſake let me go; and ſaid, 'Twas an Arreſt: Why then, and pleaſe you, my Lord, my Partner came up, and asked him whether it was an Arreſt, and he ſaid it was: And then looking about me, I ſaw another Perſon coming after us, who was the Meſſenger: It ſeems he had broke out of the Meſſenger's Houſe. And then he clap'd his Hand into his Pocket, and pull'd out, I believe, about 40 Guineas, and ſaid, we ſhould take what we would if we would let him go; but we would not.

*Anthony Stephens* was ſworn, and ſaid, When Mr. *Layer* was firſt taken we asked him, Is it for an Arreſt? Yes, ſays he, it is an Arreſt. And when he ſaw Mr. *Squire's* Son coming after us, he would give us whatever we pleaſed to let him go; and more than that, he ſaid, They had no Warrant, and he did not know that they could keep him without a Warrant.

*N. B.* The former Part of this TRYAL was publiſh'd on Wedneſday laſt, in a Supplement to this Paper, and ſold by *J. Peele*, in *Pater-noſter-Row*. In ſome of which, *p.* 4, *Col.* firſt, the Words *Chriſtopherus* and *Chriſtophorus* are miſplac'd; it being to be read thus, "The Plea of *Not Guilty* "was, by Order of the Court, amended from *Chriſto-* "*phorus* to *Chriſtopherus*.

At the *HAND* and *PEN* in Butcher-Hall-Lane, Newgate-ſtreet, on Mondays, Wedneſdays and Fridays; and At the *HAND* and *PEN* over-againſt Somerſet-houſe, near the New Church in the Strand, on Tueſdays, Thurſdays and Saturdays,

*There is come from* Edenburgh *in* SCOTLAND, *one that teaches a new Method of Short-hand, being the moſt eaſy, exact, lineal, ſpeedy, and legible Method yet extant, having no Letters plac'd above or under other Letters, nor Marks for Words or Sentences, nor ſtuft with Dots, and ſo legible that his Scholars can read one another's Writing diſtinctly: By this new Method, you are taught by one Rule (which can be learnt in the ſpace of an Hour) to write by the Engliſh Perſons, Moods, and Tenſes, &c. whereby you can join in every Sentence at leaſt 2, 3, 4, 5, 6, 7, or more Words in one, without lifting off the Pen, in the twinkling of an Eye; and every one of theſe Joinings are writ in almoſt half the Time and Room, and are a great deal more plain than if every one of theſe 7 or more Words were all ſeparately written: By which Means any Perſon that can but tolerably write their own Names in Long-hand, may with Eaſe take down from the Speaker's Mouth any Sermon, Speech, Tryal, Play, &c. Word by Word, though they know nothing of Latin. He hath collected and drawn out in the Long-hand all the principal Words in the Engliſh Tongue upon one Side of a quarter of a Sheet of common writing Paper, and yet that quarter Sheet contains or makes up at leaſt one half of all Engliſh Books; for Proof whereof they ſhall ſee the ſaid quarter Sheet compar'd with any Page of any Engliſh Book. He will perfect them (tho' they live 9 or 10 Miles from London) within 8 or 9 Weeks, they writing only by themſelves half an Hour a Day, by his Direction once in 6 Days: Thoſe that have learned another Method of Shorthand will learn this new Method ſooner than others can. He hath taught both Sexes; and thoſe that have been writing by other Short-hand Methods above 20 Years. And hath now the Honour to teach ſeveral Noblemen, Members of Parliament, Clergymen, Gentlemen, Ladies, and others. He hath the Bible and Singing Pſalms written by him in this Character, and hath been employ'd for taking down the Pleadings, concerning the Callicoes, before the Honourable Houſe of Commons. The Nature, Uſes, and Excellency of this new Method, with a Demonſtration that the Short-hand doth not in the leaſt ſpoil the Long-hand, but is rather a Furtherance to it, are more fully contained in his Advertiſements in Frames on the Royal Exchange, wherein he publickly challenges all the Teachers or Writers of Short-hand in London, to keep equal Pace with ſeveral of his Scholars, and will lay them five Guineas to one Guinea thereon.*

JAMES WESTON.

*N. B. He teaches nothing but this New Method of Short-hand, and it is taught by none in Great Britain but himſelf, he being the Inventor thereof.*



*WHEREAS ſeveral People of late Years have been induced to believe that Wrought Silks, &c. of the Manufacture of China, Perſia, and* Eaſt-India, *may be lawfully worn and uſed in Apparel and Furniture in this Kingdom, notwithſtanding an Act of Parliament made in the 11th and 12th Year of King* William, *intitled,* An Act for the more effectual Imploying the Poor, by encouraging the Manufactures of this Kingdom; *this is to give Notice, that the Manufacturers have adviſed with eminent Council, who are of Opinion, on Peruſal of the ſaid Act, That all ſuch Goods worn or made uſe of in Apparel or Furniture within this Kingdom (if not made up before the 29th of Sept. 1701) are liable to be ſearched for, and ſeized as other unenumerated and prohibited Goods; and that the Perſons who ſhall uſe or wear the ſame, in Apparel or Furniture, as aforeſaid, are over and above the Loſs of the ſaid Goods, further liable (in the Opinion of the ſame Council) to the Forfeiture of 200 l. for every ſuch Offence, by Virtue of the ſaid Act of Parliament; and that no Perſon whatſoever may naturally incur either of the ſaid Penalties for the future, This is to give Notice, that effectual Proviſion is made for proſecuting on the ſaid Act, all ſuch Perſons who ſhall be found offending by wearing or uſing in Apparel or Furniture, any of the ſaid prohibited wrought Silks.*

N. B. *The ſaid Act is now reprinted, and may be had at the King's Printing-Houſe in Black-Fryers.*

GEORGE WISE, *Mercer,*

*Removed from the Queen's-Head, in Ludgate-ſtreet, to the New Silk Ware-Houſe, up one Pair of Stairs, at the Sign of the Angel, a Linnen-Draper's, over againſt the Horſe at Charing-Croſs, ſells all Sorts of Mercery Goods as uſual, with variety of Morning Gowns, and the fineſt Silk Plods and worſted Plods, at very reaſonable Rates.*


## ADVERTISEMENTS.


Whereas Mr. Durham's 72 Sermons on the whole 53d Chapter of Iſaiah, will be publiſh'd the latter End of February. Thoſe who are willing to take the Advantage of the Subſcription, are deſired to ſend in their Names and firſt Payment, which is four Shillings and Sixpence, the whole Sum being nine Shillings in Sheets, before the 20th Day of February, otherways they will loſe the Benefit of the Subſcription. Thoſe that ſubſcribe for Six, have a Seventh Gratis. Subſcriptions are taken in by Aaron Ward, at the King's Arms in Little Britain; and John Oſwald, at the Bible in White's Alley, Chancery-lane; where Propoſals may be had; and other Booksellers in Town and Country. *N. B.* What Books remain of the Impreſſion not ſubſcrib'd for by the Day beforemention'd, the Price will be advanced.

*The Works of this very Pious and Learned Author are ſo well known and have deſervedly obtain'd ſuch a Reputation in the Church of God, that there needs no more to recommend a Book than to ſay it was wrote by Mr.* James Durham.

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| Jeremiah Smith. | Joſeph Hill. | Patrick Kniffil. |
| John Nesbitt. | Joſeph Cummi R. | James Galloway. |
| Matthew Clark. | Thomas Bradbury. | Thomas Hall. |
| William Tong. | John Athy. | Jenkin Lewis. |
| Benjamin Robinſon. | Isaac Watts. | John Mitchel. |
| Thomas Reynolds. | Daniel Wilcox. | Edward Waſſel. |
| Thomas Ridgley. | Jabez Earle. | Thomas Harriſon. |
| John Foxon. | James Wood. | |

*Juſt publiſh'd, the Second Edition, of*

THE Hiſtory of John of Bourbon, Prince of Carency: Containing a Variety of entertaining Novels, viz.

I. The Surprize, or, The Generous Unknown.
II. The Mutual Miſtake, or, The Unhappy Diſcovery.
III. The Secret Rival, or, The deceitful Friend.
IV. The Perfidious Lady diſappointed, or, The Happy Reconciliation.
V. The Slighted Paſſion, or, The Fatal Reſentment.
VI. The Unfortunate Lovers.
VII. The Female Captives.
VIII. The Diſtreſs'd Lovers.
XI. The Revengeful Rival.
X. The Happy Meeting, or, Conſtant Love rewarded.

Written in *French* by the Counteſs D'Aunois, Author of the Ladies Travels into Spain. Tranſlated into *Engliſh*. The Second Edition. Printed for J. Peele, at Locke's-head in Pater-noſter-Row.

This Day is publiſhed

(beautifully and correctly printed with a new Elzevir Letter)

*** The Art of Pleaſing in Converſation, both in French and Engliſh. Written by Cardinal Richlieu. Tranſlated by J. Darby for M. Pouſſon; and ſold by A. Betteſworth, F. Clay, J. Knapton, W. Taylor, J. Brotherton, E. Bell, C. Rivington, and J. Batley.

Of whom may be had,

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|---|---|
| Blount's Law Dictionary | Ambitious Stepmother. |
| Behn's Novels, 2 Vols. with Cuts. | Otway's Plays, 2 Vol. |
| Select Novels, 2 Vol. with Cuts. | Vanbrugh's Plays, 2 Vol. |
| Monſieur's French Grammar. | Wycherley's Plays, 2 Vol. |
| Royal French Grammar. | Southern's Plays, 2 Vol. |
| Boyer's French Dictionary. | Lee's Plays, 3 Vol. |
| Dr. Sydenham's Works. | Cibber's Plays, 2 Vol. |
| Glanvil's Plurality of Worlds. | Hamlet. Theodoſius. |
| Cocker's Decimal Arithmetick. | Æſop. Orphan. |
| Brown's Roman Hiſtory. | Oroonoko. Earl of Eſſex. |
| Anatomiſt, or the Sham-Doctor. | Rehearſal. Chances. |

Juſt publiſh'd, Dedicated to the Duke of Buckingham, the 2d Edition,

A Compendious Way of Teaching Ancient and Modern Languages, formerly practiſed by the Learned Tanaquil Faber, in the Education of one of his Sons, and of his Daughter the celebrated Madam Dacier, and now with a ſmall Alteration, ſucceſsfully executed in London: To which is added, ſome Tracts and Obſervations on the ſame Subject, by ſeveral eminent Men, viz. Roger Aſcham (Tutor to Queen Elizabeth, Richard Carew, Mr. Milton, Mr. Locke, &c. With an Account of the Education of the Dauphin. By J. B. Biſhop of Meaux. To be ſold by Mr. Meadows in Cornhill, Mrs. Harriſon at the Royal Exchange, Mr. Clark in the Poultry, Mrs. Briſtow, without Temple-Bar, Mr. Stokoe over-againſt the Meuſe-Gate, Mr. Boulter and Mrs. Johnſon, Charing-Croſs, Mr. Bragg and Mr. King in Weſtminſter-hall, Mr. Cox at Stories, and at the Rainbow Coffee-houſe, at the Corner of St. Martin's-Lane.

This Day is publiſh'd.

*** Twenty-Eight SERMONS, concerning Offences, Revilings, and a Confeſſion of the Faith, preached at Pinner's-Hall. By the Reverend Mr. THOMAS BRADBURY. Printed for John and Barham Clark, at the Bible and Crown in the Poultry near Cheapſide. Price bound in Calf 4 s. in Sheep 3 s. 6 d.

Where may be had (juſt publiſhed)

Fourteen Sermons on various Subjects: Wherein many Things relating to Chriſtian Experience, and the Future State, are ſet in a fair and eaſy Light. Together with a ſacred Hymn annexed to each Subject. By the Reverend Mr. ISAAC WATTS. The Second Edition, 12mo.

This Day was published,

The RAPE of the BRIDE; or, Marriage and Hanging go by Destiny. Containing, A Poetical Flight upon Rapes, the Story of Rogeria, with the Humours of a Fortune-Teller, giving Proofs how Old Women become Young Ones; describing the Passions and Uneasiness of Lovers, the Marriage Ceremony, and subsequent Diversions: Also (by Way of Episode) setting forth the whole horrid and detestable Plot, and by whom form'd and carried on: Together with a Declaration at Length, the Manner of the Trial, and the learned Arguments pro and con, by the Council for the Crown and the Prisoners explaining how far Evidence ought to be credited and upon what Account Men would be hang'd as soon as merry'd. A Poem Hudibrastick, in Four Canto's. Also an Epistle Dedicatory to the FAIR SEX. With a suitable Frontispiece neatly engrav'd on Copper.

Nuda veritas, nec erubescit.

Printed, and sold by J. Peele, at Locke's-Head in Pater-noster Row, price 6 d.

LOst or mislay'd on the 23d of January, coming from Hoxton to the Royal Exchange, a single Stone Brilliant Diamond, weighing almost a Karat, Oval, and spread a little off the Colour, with four small Brilliants on each side the Shank, and a Chrystal, with Foil within the Ring. Whoever has found it, and will bring it to Mr. L'Advocate, Jeweler, at the sign of the Two Blue Posts in Grafton-street, Soho, shall have Four Guineas Reward, paid by him, and no Questions ask'd.

*** *Just brought from* Italy *a choice Parcel of Tuberyose Roots; also a Parcel of Hex or Ever-green Oak Acorns, to be sold by* Nath. Powell, *Seedsman, at the King's-Head, near Fetter-Lane, in Holbourn, London; where you may be furnished with all sorts of Garden Seeds, Fruit Trees and Plants, with all sorts of Grass Seeds to improve Land.*

‡§‡ *WHEREAS on* Michaelmas-Day *last past, at Night, a Person on Horseback was rob'd of* 14 *Guineas or thereabout, at a Place called* Benham-hill *in the Parish of* Thatcham *in the County of* Berks, *and in the Road to* Newbury, *by Footpads. This is to give Notice, That the said Robbers are now in* Reading *Goal, and have confessed the same. If therefore the Person so rob'd will please to apply to Mr. Mayor of* Newbury, *or to* Clement Kent, *Esq; of* Thatcham *aforesaid, he may be further informed, and will be entituled to the Reward by Act of Parliament for Convicting Highwaymen.*

*The Old Fish Ware-house, near the Waterhouse, turning down to the Old Swan, by London-Bridge; is now open, where is New Northsea and Barrel Cod, Salt Salmon, Red and White Herrings, Old Ling, Sturgion, &c. to be Sold Wholesale or Retail, at reasonable Rates.*

*N. B. There is a Crane to the said Warehouse, to Ship Goods off without Charge.*

WHereas one Richard Fassett, in August 1682, was a Witness to the Execution of a Deed, together with P. Bowes, Esq; (since deceased) and it being unknown to the Parties concern'd, who the said Richard Fassett was, or who her he be living or dead. Any Person that can give an Account whether the said Richard Fassett be living or dead, so as a Proof may be made of his Hand to the said Deed, such Person, upon giving Information thereof to the Printer of this Paper, shall be thankfully rewarded for their Friendship.

THe MACHINE for Powdering Periwiggs improv'd, (and recommended by the most curious Perriwig-Makers) dispersing the Powder all over alike in the most agreeable Manner, throwing out only the finest and best of the Powder, which otherwise lies in Lumps, to the great Decay of the Curl 'Tis proper for Travelling Carriage Sold only at MARKHAM's Shop under St. Dunstan's Church in Fleet-Street, London.

THE Cambrick Chamber, is Removed from St. Martin's le Grand, to Mr. Tho. Atkins, up one pair of Stairs, at the Sign of Buchanan's Head, a Bookseller's Shop, the Corner of Milford-lane over against St. Clement's Church in the Strand. Where there is to be sold all sorts of fine Cambricks, fine Lawns, and all sorts of good Hollands by the Importer at Reasonable Rates. Attendance Will be given from Morning till Night N. B. There is a fresh Parcel of all the Sorts as above-mentioned, just arrived Superfine Good: There is likewise at the same Place an extraordinary Parcel of Dutch Quills to be disposed of, newly landed; also fine Boh and fine Green Tea to be Sold.

NO sooner was the Publick inform'd of the Sympathetick, for the Cure of the Gout, from America, but Anodyne, in Print, audaciously claims a Right to a Discovery from the same Place, communicated in the same manner, consisting of the same Substance, and attended with the same Success; likewise expressed in the same Words, in nothing differing but Price, which he told the World, in compassion to those that could not command Five Guineas (the Price of the American) they should have for a Guinea and a half; but going, in Disguise, into Coffee-houses, and observing the Conversation of the Judicious bent upon declaiming against him and his Chymerical Stupendous, he at once alters the Price to Five Guineas, and ever since has endeavour'd to come in all things as nigh the Original as possible, but being detected in so vile an Imposition, he exerts himself with all his dismal Rhetorick to blacken that which is out of his Power to conceive. The Gentleman in Crane-Court having made such Honourable Proposals, has so incensed and confounded poor Anodyne, that instead of answering any one Objection, he flies from one Falsity to another, till at last, like one just drowned, he is willing to catch at every Rush, and now, vast Hope, and gasping for Breath, proposes Things which he leaves a Woman to perform, not daring to comply in Person with his own Offers. It is strange in all this time, tho' often challenged to do it, he cannot produce one Person, out of so many who have try'd his Stupendous, and who, according to his Assertion, are all cured, to ratify the Truth of it. The true Sympathetick, which cures the Gout by being only carried in the Pocket, is to be had only of the Gentleman who brought it over, at the first House on the the Right-Hand in Crane Court in Fleet-street, near Fetter-lane, for Five Guineas, who with it will give a Note for the return of the Money in Six or Twelve Months, or whenever demanded.

*This is to give Notice,*

THAT the only True and Original Royal Chymical Washballs, for the Hands and Face, are removed from Mr. Lambert's the Glover's, to prevent the Publick's being Imposed on by Counterfeits, and are now Sold only at Mr. Allcroft's, Toy-Shop, at the Red-coat Boy under Bridges's Coffee-House in Cornhill; and at Mrs. Giles's, Milliner, next Hercules Pillars Alley, by the Temple, in Fleet-street: They have above these twenty Years been largely experienced and highly commended by all that use them, for making the Skin so delicately soft and smooth, as not to be paralleled by either Wash, Powder, Cosmetick, &c. they being indeed real Beautifiers of the Skin, by taking of all Discolouring, as Tetters, Ring-Worms, Morphew, Sun-burn, Scurf, Pimples, Pimpled Redness of the Small-Pox, and keeping it of a lasting and extreme Whiteness. They soon alter red or rough Hands; are admirable in clearing the Head; they not only give a more exquisite Sharpness to the Razor, but so comfort the Brain and Nerves as to prevent catching Cold. They are of a grateful and pleasant Scent, without the least Grain of Mercury: Sold only by Mr. Allcroft, and Mrs. Giles, as above. Price 1 s. each, and no where else in London, by Retail: Therefore beware of Counterfeits, which are not only Injurious, but may also prove dangerous.

CHymical Drops for DEAFNESS: A Medicine approv'd of, and advised to by the most learned and judicious Physicians throughout all Europe the many Ages last past; and is now to be remarked that it hath been found upon very large and long Experience; and uninterrupted Success, a certain, safe, and expeditious Cure for Deafness, Thickness of Hearing, Noise or Pains in the Ears, &c. and may be called a true Specifick Remedy in all the aforementioned Ailments, having cur'd great Numbers of Persons of all Ages and Sexes, that have been Deaf, when nothing else would do, to their great Satisfaction and Wonder. It is according safe, for it gently enters by degrees into the Drum of the Ears, and removes all the Obstructions and Impediments of: Being a safe and safe, though powerful Medicine, that tells none, if curable, and cures in many Cases those that have been thought incurable, after the use of all external, as well as inward Applications whatsoever: It cures in a few Times most Thicknesses of Hearing, and immediately takes away Noise, or Pain in the Ears, occasioned either by Cold taken in the Head, or other Obstructions of the Drum, &c. of the Ears, and may be confidently to be the most sovereign Remedy now extant for all the Ailments abovementioned, from the slightest Thickness of Hearing, Noise, or Pain, &c. to the most confirm'd Deafness, tho' of the longest Standing, either in old or young that are curable. Sold for 4 s. the Bottle, at the Golden Ball the Corner House of Bear-Alley by Fleet-Ditch, near Holborn Bridge.

*The Grand* CATHARTICK: *or, The Great Restorer and Preserver of Health; prepared by several eminent Physicians, for the common Good of Mankind.*

*Now Sold in* 279 *Towns in Great-Britain.*

Note, *It may be safely taken at any Season of the Year, for neither Heat nor Cold hinders its friendly Operation.*

This Medicine is composed of the richest and choicest Ingredients, and is chiefly designed for those who can't bear the ill Taste of Electuaries, Pills, &c. for it is the most pleasant Medicine in the World, and answers all those Ends of Cure to which purging is required, and that too without Griping, Loathings, &c. In a Word, nothing can compare with it in the Cure of the Cholick, Dropsie, Scurvy, Breakings out of the Body, Jaundice, Agues, Colds, Surfeits, Greensickness, Vapours and Spleen, Rickets, Convulsions, &c. It helps Digestion, restores lost Appetite, and prevents Reachings in a Morning, and Morning Sweats It is highly necessary to be taken after the Small-Pox, and all Sorts of Fevers, it stops a Gravel and Sand, and prevents Breeding of the Stone; and for all Distempers, wherein Purging is required, it has not its Fellow in the World, for which Reason, those who value the Health of their Families, ought never to be without it. And those who are willing to preserve their Health, must not omit taking it at Spring and Fall. Sold Wholesale and Retail at the Printing Office in Bow-Church-Yard, Mr. Russel at the Gallon Pot, in Market-Lane, facing Charles-street, by St. James's Market; Mr. Oliver, at the Key in Union-street, the Upper End of King-street, Westminster, Mrs. Morphat, Brazier in Little Britain. M. Hall under the Dutch Church Austin Friers; at the Black Boy on London Bridge; at the Frame Makers in Fore-street; at the King's-Head, Hoxton-Square; at Mr. Cobbs in Plumb-Tree-Street, St. Giles's; Mr. Doule, Perfumer, Grace-church-street; Mrs Naylor in Westminster-hall; Mrs. Swanfold, Bookseller, next the Parrot-Cook's, Corner of Grace-church street; Mr. Reddon, Tobacconist, at Green Bank, Southwark; Mr. Morgan, Glover at Lincoln's Inn Back Gate and at the City Cryer's Office, in King street, near Guildhall. Where is not Sold, any credible Person may be supply'd by Post. Court in Bow-Church-Yard.

*The Great* CARMINATIVE,

‡§‡ A most famous TINCTURE for the Wind-Cholick, in what Part soever lodg'd; for at once taking, in five Minutes Time, it perfectly cures the severest Gripings in the Guts, and also immediately expels the Wind from the Stomach or Bowels, (as it were) to a Miracle: And, all wandring Pains in any Part whatsoever, which are in some Persons the Forerunner of a fixed Rheumatism, in others the Gout, (mistaken many Times under the Notion of Scorbutick Ailments) this famous Medicine has not its Fellow, having wrought Wonders in those Cases on great Numbers of People, that before taking it, could neither sit, stand, nor lie at Ease, but were in intolerable Pain Night and Day, who in taking but three or four Doses were absolutely freed from their present Pain, and by a short Continuance of the Course, recovered to perfect Health again. As for any Belchings, or Hicups proceeding from Wind, or in short in any Case of Wind, it may be depended on as the best, surest, most expeditious, and most sovereign Remedy ever yet known; It is intended chiefly for the good of Country People that live remote from Physicians, and the poorer sort in Towns; is therefore sold but for 3 s. a Bottle, with Directions, at Mr. Ward's Toyshop, at the Peacock, next the Swan Tavern against the Royal Exchange in Cornhill, London.

The famous Golden ESSENCE for the Hair of the Head and Periwigs; being the most charming Perfume in Nature, and the greatest Preserver of Hair in the World, for it causes that of Periwigs to retain its Beauty, Strength, and Curl, as long again as usual, and certainly keeps fair Hair from changing Colour, makes the Hair of the Head of Ladies and others become incomparable fine and handsome, and immediately causes it to grow thick to Admiration, even upon Places that are bald, by its shedding; it assuredly changes red Hair to a fine pale Colour, and by its delicious Fragrancy enlivens all the animal Faculties to a Miracle; it also perfumes Handkerchiefs excellently, and is now exceedingly esteemed by the prime Quality of both Sexes. To be had only at Mr. Fadford's Toy-shop, at the Rose and Crown against St. Clement's Church-yard in the Strand, near Arundel-street End: Price 3 s. 6 d. a Bottle, with Directions.

*Just published,*
*The Second Edition corrected of,*

A New Theory of Consumptions: More especially of a Phthisis, or Consumption of the Lungs. Wherein, after a brief History of the Distemper, its various Symptoms throughout its several Degrees, and every minute Step it takes, from its first invading the Patient, to its final Termination. Enquiry is made concerning the Prime, Essential, and Hitherto accounted Inexplicable Cause of that Disease, so very Endemick to this Nation, and generally fatal to those it fastens on. With an Account of the great Number of Medicines, and various Methods of Cure recommended for Consumptions; and the different Opinions of Authors concerning them. Also the possibility of healing Ulcers in the Lungs asserted, the strongest Objection against it answer'd, and a different and more probable Method of Cure advanc'd, than commonly practis'd. Likewise Directions about Eating, Drinking, Sleeping, Exercise, and Way of Living in general, proper for Consumptive Persons. By Benjamin Marten, M. D. Printed for R. Knaplock, at the Bishop's Head in St. Paul's Church-yard, E. Bell at the Cross-Keys and Bible in Cornhill, J. Hooke at the Flower de Luce against St. Dunstan's Church in Fleet-street, and C. King at the Judge's Head in Westminster-Hall. Price 3 s. 6 d.

*Or, such as have contracted the Scandalous* VENEREAL DISEASE, *or any of its pernicious Consequences,* STRICTURE, GLEETS, *&c. and would neither be defrauded of their Health, Time, or Money, but be regularly and faithfully cured in a private manner, with the greatest Ease, Safety and Expedition.*

THE most severe Affliction an incredible Number of People under the Misfortune of the first Degree of the Venereal Distemper, for which (scarce) One in Twenty are perfectly cured: notwithstanding the bolting Promises of many Practitioners, and Others of their ridiculous Practices, &c. who are either precipitated into the Grand Pox or the Mercurial Pox, or to some Place worse they too surely find, or else into a deplorable Seminal Weakness on the Other, which is allow'd by all the Learned to be exceeding difficult to Cure, is the reason of this Address to Men of Sense, (such only being capable to comprehend it) and of the Publication of the following Remedies, which have been experienced in very large private Practices for many Years, and always found effectual, being faithfully adapted to every Degree and Symptom of that grievous Disease in both Sexes, and all its mischievous Consequences, Old Relicks, Seminal Weaknesses, &c. which virulent Distemper, whether newly contracted, or of long standing, or however dreadfully circumstanced or before mismanaged, they never fail of most certainly curing without the least Hindrance to Business, Knowledge of the nearest Friend, or Injury to the Constitution, but in a short time restores the unfortunate Patients to their former Health, as perfectly as if they had never been tainted with that hately Malady, viz. The true ANTI-VIRULENT ARCANA, which certainly eradicate the Poisonous Malignity of the first, and every other Degree of the Venereal Disease, speedily removing all Pain, Heat, and other Symptoms. Price 7 s. 6 d. The SALUTARY WASH for all outward Sorenesses, when any such happens, which it presently Cures. Price 3 s. 6 d. The STRENGTHNING ELECTUARY, which absolutely cures all seminal Effusions, involuntary Emissions, Weakness, Old Gleets, &c. tho' of many Years standing, Price 5 s. Which Medicines may be entirely depended upon, as fully sufficient, faithfully to answer every Intention of Cure, from the mildest Clap, to the most inveterate Pox and all its Attendants as also the most obstinate Gleets, and all Disorders of the Reins, Seminal Vessels, and Urinary Passages, as well as the ill Effects of other Medicines, and are to be had only, either separate or together, by their Names abovementioned, at Mr. Chambers's Toyshop under John's Coffee-house in Gutchen's-Alley, near the Royal Exchange in Corn-hill, seal'd up with Directions at large. By the Perusal of which, all Persons that ever were affected with any Degree of the Venereal Disease, may become compleat Judges of their own Case, and certainly know, without any Deceit or Amusement, when, and when not, the virulent Malignity is perfectly rooted out of their Bodies.

An infallible Cure for the STONE and GRAVEL

who has in the Reins or Bladder, by an incomparable Chymical Liquor, which in the most racking Fits gives instant Ease, and perfectly frees the Patient from all Pains in the Back, and those Pains so much like the Cholick, dilutes the Ureters, makes them slippery, that small Stones and Gravel may pass from the Reins to be voided visibly with Urine, without Pain, cleanses the Kidneys, Bladder and all the Urinary Passages from slimy calculous Matter, certainly takes off all Heat, Pain, and Stoppage of Urine, and absolutely breaks and dissolves all large Stones (possibly to be dissolved) whether in the Kidneys or Bladder, so as entirely to cure the Distemper, effectually prevent the Stone in those that are troubled only with Gravel, and for all Disorders of the Reins and Bladder, cannot be paralelled. Is sold only at Jacob's Coffee-house, against the Angel and Crown Tavern in Threadneedle-street, behind the Royal Exchange, at 3 s. 6 d. a Bottle, with Directions.

Jan. 30, 1722-3. These are to testify, That I John Coatney, at the Sign of the Magpye in Red Lyon-street, near the New Church in Spittlefields, was so violently troubled with the Dropsy and Shortness of Breath, that I could not lie down in my Bed for 16 or 18 Days; and after the Use of several Medicines, could get no Cure, till I apply'd to Mr. JOHN MOORE, Apothecary, at the Pestle and Mortar in Abchurch Lane, London, who gave me Medicines that soon effectually cured me. I desire this may be publish'd for common Good. The Truth of this I am ready to attest to any Person who shall apply to me. JOHN COATNEY.

MARKHAM's *ancient infallible Cordial Horse-Balls,*

FOR the Publick Good, at 4 s. per Pound, being the last experienced Remedy for any Cough or Cold, giving immediate Relief by opening all Obstructions in the Lungs, carrying off all farming Sickness, Surfeits, loss of Appetite by hard Working, or any other Distempers incident to Horses. This Medicine which has many Years been successfully practised, and known to be the best Thing for keeping a fine smooth Coat, and preventing the Grease settling in the Heels; and if fallen there (tho' of long Continuance) proves an effectual Cure; it purifies the Blood, eradicates and destroys all Worms, and in a short Time will cause the leanest Horse to thrive and grow Fat. N. B. These Cordial Horse-Balls will keep good for many Years, and are proper to be given at all Seasons, especially Spring and Fall, in order to keep their Bodies from those Humours they are then so subject to. Truly prepared and sold by G. Markham, at the Seven Stars under St. Dunstan's Church in Fleet-street, and allowed by him to be sold at Mrs. Rawe's, the North Entrance of the Royal Exchange in London. To prevent Counterfeits, the Markham's Arms are in the printed Directions.

For the Good of her own SEX.

WHereas several Gentlewomen and others of that Sex in this Kingdom have contracted an evil Habit of Body, wherein the vicious Humours are at first dispersed through the Whole, come at length to be lodged in one Part or another; and many Times, (for Causes too long to be here mentioned) are thrown down upon the Womb, occasioning a dangerous Weakness in that Part, which being neglected, at last turn cancerous, and often prove fatal; This is to acquaint all such as may have Occasion, that speedy Relief is to be had from a sworn and experienced Midwife; who also, by God's Blessing, cures all Weaknesses in her Sex, and prevents Miscarriage, and is to be spoke with at the Queen's Arms and Dial, next Door to the Tin Shop, near Exeter-Exchange.

*All Sorts of* RUPTURES,

Burſten or broken Bellies, perfectly cur'd by the Blessing of God, either on Old or Young, in a very little Time, and for a small Charge, by two Medicines to be externally us'd, without any Diet, or Confinement of the Patient. These two Remedies need no other Recommendation than themselves will manifest in Two or Three Days time, being by their admirable and even astonishing Success, gained the Reputation they justly deserve both in City and Country, far above these twenty Years last past, after wearing Trusses for many Years to no Purpose; Many Hundreds of all Ages and Sexes have been cur'd by them, which occasion'd this Publication, for the Good of the Publick, that all such unhappy People may be delivered from the Charge and Slavery of always wearing Trusses. They are sealed up, at 5 s. the Barrel, which is generally sufficient for a compleat Cure especially on a young Person; and sold only by Mrs. Bradbury at the Blue-Ball Toyshop in Fenchurch-street near Aldgate, London. N. B. It is by the Use of an easy Truss, that those two external Medicines are applied to the part affected, till the Cure is perfected; as you will see by the Directions at large, given with them.

LJ A short and infallible Cure for the ITCH,

or any Itching Humour, or Scorbutick Breaking out whatsoever, tho' it be never so bad, or of never so long standing, by a Specifick Electuary, particularly adapted to that purpose, and many Years experienced. It is the most wonderful Secret in the World for the Cure of that trouble some Distemper, and the Scurvy: for in two or three times taking it entirely cleanses and purifies the Blood and Juices, to Admiration, frees them of all manner of Impurities, and absolutely strikes at the very Root of the Itch or other Scorbutick Breakings out, as infallibly to accomplish a Cure in two or three Days, to a miracle, and that with the greatest Ease and Safety imaginable, without the least Trouble or Confinement. Is sold only by Mrs. Bradbury at the Blue-Ball Toy-Shop in Fenchurch street, near Aldgate, at 3 s. a Box, with Directions.

AT the HUNGARY WATER Ware-house, remov'd from the Black Boy and Comb in Fleet-street, to the Black Boy and Comb in Ludgate-Hill, the Corner of Bell-Savage Inn, a Toyshop, is sold right French Hungary Water in large Half Pint Flint Glass Bottles, at One Shilling and Three-pence each, being the same that was sold there several Years, or rather better, being a fresh Parcel. One Spoonful mixes a Glass of Water as white as Milk, which the counterfeit Sort made here, only turns of a dirty colour, by reason the Spirits and Flowers are not so good in this Country as in France. So beware of Counterfeits made of English Malt Spirits, put in the same sort of Bottles and sold at several Places in Town and Country, but will not turn Water white. Note, Merchants and others, may be supply'd by Wholesale and sold as where else in England, but at the Rate abovementioned.

The Widow *CRESSETT,*

AT the *Two Golden Sugar-Loaves* at *Charing-Cross,* over-against the King on Horseback, gives Notice, by the Order of the Master of the *Bath* and the Pumper, and also of the Master of the *Hot Well* of the *Bristol Waters,* That she hath them fresh every *Wednesday* and *Saturday*, She also sells the True *German Spaw* and all other *Mineral Waters.*

†††† At GEORGE PHILPOT's *Office of Intelligence* in Dean's-Court, near Doctors-Commons, London, *all Masters and Mistresses may have all sorts of Men and Maid Servants, &c. and all sorts of Men and Maids may have all sorts of Places, viz.*

| | | |
|---|---|---|
| Stewards, | Grooms and Helpers, | Wet Nurses, |
| Clerks, | Gardeners, | Nurse Children, |
| Shop Keepers, | Coffee-House, or | Nursery Maids, |
| Working Men, | Ale-houses, | Rocke Maids, |
| Single Gentlemen, | House-Keepers, | Laundry Maids, |
| Butlers, | Ladies Women, | Cook Maids, |
| Coachmen, | Chamber Maids, | And Maids for |
| Footmen, | Single Gentlewomen, | small Families, &c. |
| Postillions. | | |

Likewise all manner of Inns and Publick Houses to be Let, and where all such Persons that have Occasion may hear of them. All Masters and Mistresses may have all sorts of Apprentices and Prentice Boys and Girls of all sorts of Trades, and all other manner of Business, it being an Office of Fifty Years standing.

THese are to certify, That I William Cordwell, Frame Work Knitter, dwelling at the Black Boy in Wheeler-street, near Spittlefields, of the Age of 72, was lately very much afflicted with a Shortness of Breath, and a Dropsical Swelling in my Legs; considering what Service I had formerly received from Mr. JOHN MOORE, Apothecary, at the Pestle and Mortar in Abchurch Lane, in first curing me of the Stone, and afterwards relieving my Wife of an Apoplexy and Palsey, tho' she is superior to me in Age, I apply'd my self to him, and he effectually cured me of my aforesaid Illness, (for his Medicines I paid him to the full) and I now continuing perfectly well, Thanks be to God for it, do acknowledge it to the World for the Good of the Publick. Witness my Hand this 14th of August 1722. WILLIAM CORD WELL.

ALL that are distressed to the last Degree with the French Disease, or any Symptoms of it, and try'd Salivation, the Specifick, and Arcanum, and all the Dret Drinks, with all other Mercurial Slip-slops, and tired with taking Medicines to no Purpose, may have a safe, speedy, cheap, and private Cure. A Clap or running of the Reins is cured in a few Days, without hindrance of Business, and to private that the most Intimate cannot take Notice of it. Note, Those that live in the Country may send and be furnish'd with six Doses for five Shillings, that cures all Symptoms of the French Disease, Rheumatism, or Scurvy, and will do you more Service, in all the aforesaid Distempers, than any twelve Doses sold in England. To be spoke with at the Golden Ball in Three Faulcon Court in Fleet-street, almost over-against Water-Lane. Advice in all Distempers gratis.

WRIGHT's Diuretick or cleansing Tincture.

Which Urinarily discharges all the Fæces, or putrid Relicts of the Lues Almosis, or Venereal Infection, and chases the Concomitants, the wretched Train of that complicated Distemper, as a noxious, filthy, furious Matter lodg'd in the Reins, or spermatick Parts which either cause a Gonorrhœa in the Urine, or two frequently provoke it. This Relick is discoverable, partly by the following Symptoms, viz. by a Debility, or Weakness of the Back, a lassid, anxious, and wearing Smell of the Urine, with purulent Matter, or scurfous Sordes residing at the bottom, or flying in it, with variety of Figures. Farther, this Tincture carries off all Relicks of the Venereal Disease, after ill managed Cures, not only cleansing the Urinary Passages of all Sand, Gravel, Slime, or membranous Particles, &c. but after a singular Efficacy, in ligorating the Reins, restoring them, and all their Genital Parts, to their original Tone and Use, though the Misfortune and Decay be of the longest Date, with as quick Success in each Sex. To be had of Dr. WRIGHT, for Ten Shillings per Bottle, with Directions for its Use, only at his House, the Golden Head and Two Lamps, in Bell-Savage Yard on Ludgate-Hill.

Vivifying Drops for BARRENNESS in Women,

and Impotency in Men, which absolutely the vital Ferment of the Blood, recruits the languid State of all the Spirits, quick, fortify, and increase the Spirits, invigorate the Nerves, restore Appetite of Growth, and cause a flushing Gladness and orderly Courage to flow in the Heart, and extend itself through the whole human System, so as effectly to cure all Indispositions, that by binding down the Spirits, depressing the Mind, and damping the noble Faculties, entangle in a great measure the Lamp of Life, and make barrenness and Impotency prevent Conception, and render both Sexes prolifick, how wonderful soever but Thousands have experienced, and now sold only at Mr. Redford's Toy shop, in the Walk and Corner against St. Dunstan's Church, as to the Sign of the Great Angel and Child, Price 5 s. the Bottle, with Directions.

LONDON: Printed for, and Sold by J. PEELE, at *Locke's-Head* in *Paternoster-Row*: Where *Advertisements*, and *Letters* to the *Author*, are taken in.

# INTRODUCTION.

I HAVE learnt, from a Careful Obſervation of the *Conduct* of Some Men amongſt Us, to make as great a Difference between the *Liberty* of *finding Fault*, and the *Art* of *finding Fault*; as there is between the *Uſe* of a *Right*, and the *Abuſe* of it. The *Former* is the *Privilege* of Every *Freeman*, in a *Free Country*: The *Latter* is the Reſult of a *Diſpoſition*, determin'd to ſerve its own private Purpoſes by the Help of this Noble *Privilege*, and join'd with a Capacity of doing it in the moſt dextrous Manner. In our own Country, All *Civil Freedom* it ſelf ſubſiſts in the higheſt Degree, by that very *Freedom* of *Speech*, which often, through Miſtake or Malice, attacks Thoſe who protect it. *Liberty* of *finding Fault*, is in a peculiar Senſe the *Birthright* of *Britiſh* Freeborn Subjects. Nor ſhall it ever be any Argument with *Me*, to oppreſs or ſtifle this *Liberty*, that it is *abuſed*. Nay, If it ſometimes becomes *Exorbitant Licentiouſneſs*; I will no more admit *This* Exorbitance to be a Reaſon for taking it away, when it happens not to pleaſe or ſerve the *Perſons*, or the *Cauſe*, to which I wiſh well; than I will plead for cutting out *Men's Tongues*, becauſe They talk too freely of what They underſtand nothing of. If any thing be found fault with, let it be defended, if it can. If it can't be defended, let it go on to be found fault with. The Cure of what is *Evil* in all this, (except in *Caſes* of the higheſt *Immediate* Malignity to the *State*,) is only to lie in every Man's own Breaſt. And if he has Conſcience, or Honour, or Innate *Probity*, He will naturally govern his *Liberty* by that *Common Good* which ought to be his Aim. If He has neither Conſcience, nor *Probity*, nor Underſtanding; Yet, let not a *Common Right* ſuffer, through the Ungovernable Iniquity, or Undiſtinguiſhing Weakneſs, of Particular Perſons. *Freedom* of *Speech*, or the *Liberty* of the *Preſs*, (which is only a Conveyance of that *Speech* to Multitudes whom the *Voice* cannot reach) often does Miſchief. This is certain. But let It be once taken away, under what Pretence ſoever; and how much greater *Miſchiefs* muſt follow? All the *Miſchiefs*, of *Darkneſs* in the *Intellectual* World, of *Baſeneſs* in the *Moral* World, and of *Slavery* in the *Political* World. Wherever this *Liberty* has been wholly oppreſs'd; in *thoſe* Countries, Every *Species* of True Freedom has been oppreſs'd, and lies buried in the ſame Grave with it. Wherever It has been *touch'd*, the *Evils* I have now named have in proportion advanced nearer and nearer: and whenever it ſhall again be touched, *They* will again *advance*; and with Them the Hazard of Every thing valuable in the *Rational* or *Civil* Life of Man. And methinks, Thoſe who are unwilling this Noble *Privilege* of finding fault ſhould be loſt from the Earth, ſhould, for the ſake of their *Darling Right* it ſelf, keep Themſelves within ſuch Bounds, and under ſuch Reſtrictions, as that there may be ſome *Appearance* of *Decency*, and now and then ſome little *Tokens* given of a *Publick* (more than a *Private*) Spirit, in what they do; leſt *Continued Provocations*, and Mutual Exaſperations, ſhould end, at laſt, in what will equally hurt every Member of the Commonwealth.

When this *Freedom* becomes the Spirit of *Finding fault*; and this *Spirit* ſo indulged, that *Not One* thing done by an *Adminiſtration* is allowed to be *Good*; What can be the *Concluſion*, but that This is not the *Generous Liberty* of *Free* Subjects, but the *Narrow Licentiouſneſs* (for nothing is more *Narrow* than *Licentiouſneſs*) of *Contracted* Souls? Becauſe, as there is *No Adminiſtration* upon Earth ſo perfect, as to contain *No Faults*; ſo there is *No Adminiſtration* ſo abſolutely *Bad*, as not to do *Some Good Things*. When Every *Trivial* Occurrence, Every *Ordinary* Matter, or *Accidental* Event, is made the Subject of the ſame *Outcries*, purſued with the ſame *Warmth*, and Hand in Hand with the ſame *Impetuoſity* of *Zeal*, as if they were the moſt *Extraordinary* and *Terrible* Appearances; What can *We* think, who hear of This at a diſtance, but that This is the *Humour* and *Peeviſhneſs*, and not the *Privilege*, of *Finding fault*? Who could have thought it poſſible, that the *Non-publication* of Mr. *Layer's Trial* before *Tueſday, Jan.* 29. could have furniſhed out Matter for this *Spirit* to eaſe itſelf upon? And yet, *Without Doors*, the Converſation of *Men* has entertain'd it ſelf, with as great *Heat* and *Paſſion* upon this Head as upon *Any* whatſoever. It has been ask'd a Thouſand times, *Why* is it not publiſhed, for Our Satisfaction? And (if it were not a little like the *Ill-nature* of the *Spirit* I am ſpeaking of, I would add,) *Chief* by Such, as appear'd already reſolved *Not* to be ſatisfied with it, when it ſhould come out. Nay, it has been urged by Some of our *Coffee-houſe Debaters*, as have been inform'd, That *This* ought to be enquired into, in a *Higher* Place; —That there was ſome latent *Trick*, or *Deſign*, in this *Delay*: —That there are *Ugly* Suſpicions of its being an Affected, as well as an *Unneceſſary*, Delay. When They are told, that by the *Law*, it was wholly in the Breaſt of the *Lord Chief Juſtice*, whether Any *Notes* could be taken of it, or whether Any *Publication* of it ſhould ever be made; that however, It was order'd as faſt as it could; that ſome Time was taken up in the tranſcribing it from the *Short-hand Minutes*, which could be done only by the *Writer* himſelf; that after *That*, it was abſolutely neceſſary to ſend it to All the *Judges* concern'd; and after *Them*, to the *King's* Counſel; and after *Theirs*, to the *Priſoner's* Counſel, that *They* might ſee that Nothing was inſerted but what truly paſs'd; and chiefly, that it came out, in as *ſhort* a *Time* from the *Conviction* of the *Priſoner*, as Any *Tryal* of a like Length ever did; and in a *ſhorter* Time than Any that could be named: All This does not ſatisfy Them, becauſe it may be ſtill true, that it might *poſſibly* have come out *before*; that is, if the *Short-hand Writer*, and *Judges*, and *Counſel* on both Sides, and *Miniſters* interpoſing, had had nothing elſe but this ſingle Affair before Them, and had ſet Themſelves *Day* and *Night* to labour in it, without any Neceſſity or good End, there was certainly a *Natural Poſſibility* of its being publiſhed *ſooner*. But, What *End* of *Fault-finding*, if *This* be the *Method*? And this, in a *Caſe*, which never yet, I believe, *once*, in the moſt important *Tryals* in our World, (as far as the Memory of Man can reach back,) was made the *Subject* of any ſuch Concern at all; and in which *None* in the *Adminiſtration* had the leaſt *Argument*, from *Uſage* or *Reaſon*, to intereſt Themſelves ſo much as it appears They have done, for the quick Satisfaction of the World.

The *Reader* will have before Him, in *This* and ſome following *Papers*, a *Faithful* and *Full* Account of Every thing *Material* which paſs'd on *Both Sides*, at the forementioned *Tryal*, diveſted of all Unneceſſary *Intricacies*, and laid open to the Capacities of *All* who have *Common Senſe*. And as it is too probable, that the *ſame Spirit*, which has already diſcover'd ſo much of a Reſolution of *Cavilling*, will go on to make a farther *Uſe* of what is now publiſh'd, to the Purpoſes of *Diſſatisfaction* in *Some*, and *Diſaffection* in *Others*; I deſign, as ſoon as this *Account* is compleated in the Courſe of theſe *Papers*, freely and impartially to ſpeak my Thoughts concerning All the *Objections* or *Difficulties* ariſing upon any Part of it, as far as I can become acquainted with them; and to make, as far as I am able, the *proper Reflections* upon the moſt material Circumſtances of the *Whole*.

*BRITANNICUS.*

# ABSTRACT *of the Trial of* CHRISTOPHER LAYER, *Eſq; in the Court of* King's-Bench *at* Weſtminſter, *in the Ninth Year of the Reign of our Sovereign Lord King* George. A. D. 1722.

ON *Wedneſday* the 31ſt of *October* 1722, *Chriſtopher Layer*, Eſq; was brought to the Bar of the Court of *King's Bench* at *Weſtminſter*, upon a *Habeas Corpus* directed to the Lieutenant of the *Tower* of *London*, in order to be arraigned on an Indictment for *High Treaſon*, in compaſſing and imagining the Death of the King, found by the Grand Jury for the County of *Eſſex*, before ſpecial Commiſſioners of *Oyer* and *Terminer*.

The Return of the *Habeas Corpus* was read, by which it appeared that the *Priſoner* was committed to the *Tower* for *High Treaſon*; the Return was ordered by the Court to be filed: And the Indictment of *High Treaſon* found in the County of *Eſſex* againſt Mr. *Layer*, having been removed into the Court by *Certiorari*; and the *Certiorari* and Return thereof having been filed; the Indictment was read by Order of the Court.

After this the Council for the Priſoner made ſome Objections to the *Indictment*, ſome of which having been fully and clearly ſhewn, by the Council for the King, to be improper, and the others of no Force; and the Court being *Unanimouſly* of Opinion, that the Objections were *of no Weight*, the *Priſoner* being called in the Indictment *Chriſtopherus*, pleaded firſt in *Abatement*, that he was baptized, and from the Time of his Baptiſm, hitherto always called, named, and known by the Name of *Chriſtophorus*, (*in the uſual Form*) and then pleaded over to the Treaſon, *Not Guilty*; And the Council for the King deſiring Time to draw up a Replication to this Plea in Abatement, the Priſoner was carried back to the Tower, and on *Saturday* the 3d of *November* 1722, he was brought to the *King's Bench Bar*, by the *Lieutenant* of the *Tower*, in Obedience to the Rule of Court, made the 31ſt of *October*, when the *Attorney General's Demurrer* to the Priſoner's Plea in Abatement was read; and the Priſoner ſaid that he had in his Hand a *Joinder* in *Demurrer* engroſſed and ſigned by his Council, but that he would not offer it; and he *deſiring* to withdraw and retract the Plea in Abatement, and pleading *Not Guilty* to the Indictment, the Plea of *Not Guilty* was by Order of the Court amended, from *Chriſtopherus* to *Chriſtophorus*, and read over by the Clerk of the Crown; after which the Priſoner being asked by the Court if the amended Plea was according to his Intention, he anſwered, *Yes*.

On *Wedneſday* the 21ſt of *November*, 1722. Mr. *Layer* was brought to the Bar in Cuſtody of the *Lieutenant* of the *Tower*, in purſuance of the Rule of Court made for that Purpoſe, in order to his Trial, and his Irons were taken off by Order of the Court. After this, the Council for the Priſoner moved, that the Pannel of the Jury might be called over, *to ſee who appeared*. The Court ſaid, that their Officer informed them that it had never been the Cuſtom; but the King's Council not objecting to it, the Court ordered the whole Pannel to be called over, and the Lord Chief Juſtice ſaid, *The Priſoner hath a Solicitor, let ſome body go down upon the Steps, the Solicitor be preſent, and then he will hear who do and who do not appear*. The Council for Mr. *Layer* were ſo ſenſible of this *Tenderneſs* and *Indulgence* of the Court, that Mr. *Hungerford* ſtood up, and addreſſing himſelf to the Court, ſaid, *We humbly thank your Lordſhip; this is a real Indulgence, and we humbly thank your Lordſhip for it*. Accordingly, the whole Pannel of the Jurors were called over, by this *Indulgence* of the Court, to *ſee how many appeared*, and then they were called over again in order for twelve of them to ſerve on the Jury to try the Priſoner; who having challenged *thirty four peremptorily*, and *two* for Cauſe, who were therefore ſet aſide, and the *Attorney General* having challenged *two* for the King; *three* being ſet aſide for want of Freehold, and *one*, by Conſent, by reaſon of Infirmity, the Names of the twelve Jurors ſworn to try the Priſoner, were as follow,

| | |
|---|---|
| *Thomas Clark*, Gent. | *William Nicholſon*, Eſq; |
| *Iſaac Potter*, Gent. | *Chriſtopher Hill*, Gent. |
| *Hezekiah Haynes*, Gent. | *Robert Barnard*, Gent. |
| *John Lowry*, Gent. | *Thomas Waters*, Gent. |
| *Thomas Pratt*, Gent. | *Richard Grey*, Gent. |
| *Francis Aylett*, Gent. | *William Wheatly*, Gent. |

After Proclamation made, *If any one can inform*, &c. the Priſoner being commanded to hold up his Hand, and the Jury to look upon the Priſoner, and to hearken to his Cauſe, the *Clerk of the Crown* ſpoke as follows:

He ſtands indicted by the Name of *Chriſtopher Layer*, late of the Pariſh of St. *Andrew's Holborn*, in the County of *Middleſex*, Eſq; For that he, *&c.*—— Upon this Indictment he hath been lately Arraigned, and thereunto hath pleaded Not Guilty, and for his Trial hath put himſelf upon God and the Country, which Country you are. Your Charge is to enquire whether he be Guilty of this High Treaſon, in Manner and Form as he ſtands Indicted, or Not Guilty. If you find him Guilty, you ſhall enquire what Goods or Chattels, Lands or Tenements he had, at the Time of the ſaid High Treaſon committed, or at any Time ſince. If you find him Not Guilty, you ſhall enquire whether he fled for it. If you find that he did fly for it, you ſhall enquire of his Goods and Chattels, as if you had found him Guilty. If you find him Not Guilty, and that he did not fly for it, ſay ſo, and no more, and hear your Evidence.

After this Mr. *Wearg*, of Council for the King, opened the Indictment as follows:

May it pleaſe your Lordſhip, and you Gentlemen of the Jury, This is an Indictment againſt the Priſoner for High Treaſon. The Indictment ſets forth, That he being a Subject of his preſent Majeſty King *George*, but not having the Fear of God in his Heart, nor conſidering the Duty of his Allegiance, as a falſe Traitor againſt his ſupreme, true, lawful, and undoubted Lord, contriving and to the utmoſt of his Power intending to change, alter and ſubvert the Government of this Kingdom, lawfully and happily Eſtabliſhed under his preſent Majeſty, and to depoſe and deprive his ſaid Majeſty of his Title, Honour, Royal State and Government of this Kingdom; and to advance to the Crown and Government of this Realm, the Perſon in the Life of the late King *James* the Second pretending to be Prince of *Wales*, and after the Deceaſe of the ſaid King *James* pretending to be and taking upon himſelf the Style and Title of King of *England*, by the Name of *James* the Third; did upon the 25th Day of *Auguſt*, in the 9th Year of his preſent Majeſty's Reign, and at ſeveral other Days and Times, at *Layton-Stone* in the County of *Eſſex*, falſely, maliciouſly, and traiterouſly, compaſs, imagine, and intend to Depoſe our ſaid Sovereign Lord King *George*, from his Title, Regal State and Government, and the ſaid King to kill and bring to utter Deſtruction.

The Indictment further ſets forth, That he the ſaid *Chriſtopher Layer*, to perfect and bring to Effect his Treaſon and traiterous Purpoſes, on the ſaid 25th Day of *Auguſt*, and at ſeveral other Days and Times, at *Layton-Stone* aforeſaid, together with divers other falſe Traitors, to the Jury unknown, did falſely, maliciouſly, and traiterouſly meet, conſult, conſpire and agree, to move and ſtir up an Inſurrection and Rebellion in this Kingdom, againſt our ſaid Sovereign Lord the King.

The Indictment further ſets forth, That he the ſaid *Chriſtopher Layer*, to perfect and compleat his Treaſon and traiterous Purpoſes, on the ſaid 25th Day of *Auguſt*, at *Layton-Stone* aforeſaid, with Force and Arms, did falſely, maliciouſly, and traiterouſly publiſh a certain malicious and ſeditious Writing, containing in it ſelf, and purporting to be, an Exhortation and Promiſe of Rewards to the Subjects of his ſaid Majeſty, to perſwade and excite them

them to take up Arms, and levy War againſt our ſaid Sovereign King *George*.

The Indictment further ſets forth, That the ſaid *Chriſtopher Layer*, together with other falſe Traitors, to the Jury unknown, to compleat and bring to Effect his traiterous Purpoſes, on the ſaid 25th Day of *Auguſt* at *Layton-Stone* aforeſaid, with Force and Arms, did falſely, maliciouſly, and traiterouſly Meet, Conſult, Conſpire and Agree, to exalt to the Crown and Royal Dignity of this Realm the Perſon in the Life of the late King *James* II. pretending to be Prince of *Wales*, by Means of an armed Force and Troops of Soldiers, for that Purpoſe to be raiſed and levied.

The Indictment further ſets forth, That the ſaid *Chriſtopher Layer*, to perfect his ſaid Treaſon, on the ſaid 25th Day of *Auguſt*, at *Layton-Stone* aforeſaid, maliciouſly and traiterouſly did raiſe, levy, and retain ſeveral Men, to the Jury unknown, to take up Arms and levy War within this Kingdom, againſt our ſaid Sovereign Lord the King.

That the ſaid *Chriſtopher Layer*, to perfect his treaſonable Purpoſes, on the ſaid 25th Day of *Auguſt*, at *Layton-Stone* aforeſaid, together with divers other falſe Traitors, to the Jury unknown, did falſely, maliciouſly and traiterouſly Meet, Conſpire and Agree, to Take, Seize, Impriſon and Detain in Cuſtody the Sacred Perſon of our ſaid Sovereign Lord the King, againſt the Duty of his Allegiance, againſt the Peace of the King, his Crown and Dignity, and againſt the Form of the Statute in that Caſe made and provided. To this Indictment the Priſoner hath pleaded, Not Guilty.

The Indictment being thus opened, Mr Serjeant *Pengelly* ſpoke as follows,

May it pleaſe your Lordſhip, and Gentlemen of the Jury; the Priſoner at the Bar, Mr. *Layer*, comes now to be Tryed before you, for a wicked and deteſtable Conſpiracy againſt the Perſon of his Majeſty, and againſt his Government; and this, in Favour of an Attainted and Abjured Pretender; a Pretender whom the Priſoner himſelf has abjured in Words, and ought to have renounced in his Heart.

Mr. *Serjeant* then took Notice of the Charge of High Treaſon, contained in the Indictment againſt the Priſoner, for *Compaſſing and Intending the Depoſing the King, and alſo his Death and Deſtruction*, and of the *five* Particular Facts, or *Overt Acts*, laid to prove that *traiterous Imagination and Intent*, and *which* the *Priſoner put in Execution*, in order to bring to Effect his *Treaſonable* Purpoſes, and proceeded as follows,

Gentlemen, It is unneceſſary, when theſe Facts are opened to you, to acquaint you, that an Attempt of this Nature, if it had ſucceeded, would have been the Subverſion of the preſent Happy Eſtabliſhment, and the Proteſtant Succeſſion, ſo often confirm'd by the Conſent of the whole Nation, and the only Security of your Religious and Civil Rights and Liberties; they would all have been expoſed to the Arbitrary Power of a Popiſh Faction, under the Tyranny of the Pretender.

Gentlemen, Having ſaid this to ſhew the Nature of the Offence; we (who are Counſel for his Majeſty) ſhall proceed to lay before you the particular Evidence againſt the Priſoner at the Bar; Gentlemen, we have been ſo fortunate as to diſcover, and ſhall produce before you, the very Plan itſelf, upon which theſe Conſpirators proceeded, and which was to be put in Execution.

We ſhall produce the Plan under the Priſoner's own Hand Writing, and ſhew his acting correſpondent to that Plan, and in the Execution thereof; this Plan is a compleat Scheme of a Treaſonable Inſurrection, if that may be called Compleat which tends to utter Deſtruction; for if the ſeveral Parts therein contained had been executed, it would have been a total Overturning of the Government and Conſtitution.

But you may obſerve a Regularity going thro' the whole Scheme.

The Place of Action, and the Scene where this Conſpiracy was firſt to be put in Execution, was in the City of *London*; and tho' in the Plan it ſelf the Day is not mention'd, yet we ſhall ſhew to you, by the Priſoner's own Declaration and Diſcovery, the Time when it was to be executed; it was at the breaking up of the Camp of his Majeſty's Forces in *Hyde Park*.

Gentlemen, The Plan contains a Diſpoſition of ſeveral Officers, who were appointed to their particular Stations and were to be ſupply'd with Men deſigned to be procured for the Execution of this Plan; and, as the Conſpirators hoped to debauch part of the Army, theſe Officers were to be diſpoſed at ſeveral Places, to receive the private Men, who, to the Number of about Two Hundred (towards the Evening of the Day agreed upon for Execution) were to go ſingly out of the Camp, without their Arms, that they might more eaſily paſs without Obſervation, and were to be collected together at a Place of Rendezvous appointed them.

Gentlemen, From the Management of the Conſpiracy, and the Method they had taken to carry it on, and the Hopes they had entertained, the Conſpirators concluded, they ſhould have that Number of two hundred Men ready in one Body, to be commanded by proper Officers, to make the firſt Attempt, and the firſt Stand.

At the Place of Rendezvous they were to be ſupply'd with Muskets ready loaded, and to receive their Arms, which were to be diſtributed to them a little before the Hour of Nine; at which Hour exactly, they were to march directly to the *Tower* of *London*, (as the Plan propoſes, and as the Priſoner agreed and declared) where they might expect to be admitted, by the Help and Aſſiſtance of their Friend, the Officer upon the Guard; and as ſoon as they had enter'd, they were to ſhut up the *Tower* Gates, and ſeize the Arms.

Their General was to make his Stand in Perſon at the *Royal Exchange*; at the ſame time, it is directed by the Plan, and was conſulted upon, and agreed by the Priſoner himſelf, they were to attempt to arreſt the Perſons of ſeveral Great Men; and although the Plan doth not name the Perſons, yet the Priſoner hath explain'd it fully, and from his own Mouth we ſhall prove, who the particular Perſons are, thus intended to be ſeized.

A Declaration was to be diſperſed to excite People to come in to the Rebels; The Gates of the City of *London* were to be ſhut up, and Cannon brought down againſt them: They were then to ſet a Guard over the *Bank*; but in the firſt Place, they were to take out Money ſufficient to pay their Men, ſuch as they hoped would appear in their Intereſt: Their ſeveral other Parties were to ſecure the Artillery in the *Camp*, the Guns in the *Privy Garden*, the Cannon and Ammunition near the *Horſe Guards* in St. *James's Park*.

Theſe were the firſt Operations: But to finiſh this Villainous and Execrable Deſign, at the Time the *Tower* was ſeized, and the City in Arms, they were to ſend a Detachment to Seize the Perſon of his Majeſty; and this they expreſs'd in their Plan to be, For the ſecuring his Perſon from the Mob. But our King was to be delivered to their General at the *Tower*, and to be put under his Cuſtody. Thus the Life of His Majeſty was to be in their Power.

After this, there are ſeveral other Diſpoſitions of Officers, and other Perſons, in order to Excite and Carry on the Rebellion: Some were to appear in *Tothill Fields*, ſome in *Southwark*, who were to give Arms to the *Miners*; ſome at *Greenwich*, to engage the Watermen, and ſeize the Magazine and Powder there, and Others at other Places.

Gentlemen, You will find in this Plan a Preparation to make an entire Conqueſt of the Cities of *London* and *Weſtminſter*; upon which the Conſpirators hop'd the reſt of the Kingdom would declare for the Pretender: And there is one particular Proviſion in the Plan, That as they proceeded here, and found Succeſs, the General ſhould immediately diſpatch Meſſengers into the ſeveral Counties of *England*, to give Intelligence of their Progreſs, and to perſuade thoſe, who they look'd upon to be in their Intereſt, to declare for the Pretender, and to riſe in their reſpective Counties with their Adherents.

This is the Plan upon which the Conſpiracy is carried on; and, as we ſhall produce this Plan, which the Priſoner hath ſupplied himſelf with, and written with his own Hand, we beg leave to inſiſt upon that, as ſtrong Evidence againſt the Priſoner, upon the Overt Acts alledged

in the Indictment, of his Conſulting and Conſpiring to raiſe a Rebellion and Inſurrection in the Nation, and to ſeize the King's Perſon.

Gentlemen, Upon this Plan, which the Priſoner at the Bar had thus furniſh'd himſelf with, you will find, on the Examination of our Witneſſes, that he conſtantly acted; he declared for, and promoted the Execution of the principal Parts of it.

Gentlemen, The Witneſſes we ſhall call, who were engaged with the Priſoner at the Bar in this Deſign, are *Stephen Lynch* and *Matthew Plunkett*, (which laſt had been a Serjeant in the Army) with whom the Priſoner Conſulted, and whom he engaged in this deſperate Attempt; and we ſhall call ſome other Witneſſes to confirm ſeveral Circumſtances in their Evidence.

Mr. *Lynch* is a Perſon the Priſoner might have reaſonable Hopes of engaging in this Service: He had been formerly acquainted with one Dr. *Murphey*, who (I am inſtructed) was in the Rebellion that broke out in the Beginning of His Majeſty's Reign: Mr. *Lynch* having been abroad, and abſent for ſome time, return'd into *England* in *April* laſt: Upon his Return, Dr. *Murphey*, his old Acquaintance, meets with him, bids him welcome to *England*, and tells him an Affair was going on by which he might make his Fortune, and adviſes him not to go out of *England*: That there was an Intention to riſe in favour of the Pretender, whom he call'd his King, and he would take care to recommend Mr. *Lynch* to a Perſon who had a great Part in that Affair.

Mr. *Lynch* having ſuffer'd before, and run a great Hazard, was unwilling immediately to enter into any Engagement, but propoſed, That if he could have ſufficient Encouragement, and what he expected as a Reward, he ſhould be willing to ſtay. Some time after Dr. *Murphey* introduces *Lynch* to the Priſoner at the Bar: The firſt time they met, I think, it was the Beginning of *June* laſt, they went to the Priſoner's Lodgings, which were then at the upper End of *Chancery-lane*; and he being about to remove his Goods, deſired them to go to a Tavern hard by, the *Griffin* Tavern in *Holborn*. To this Place the Priſoner at the Bar came, where Dr. *Murphey* preſented *Lynch* to Mr. *Layer*, as the Gentleman Dr. *Murphey* had before recommended to him; Mr. *Layer* receiv'd Mr. *Lynch* at that time with great Civility, and tells him, that the Recommendation he had received of *Lynch* from Dr. *Murphey*, made him not to doubt of his Integrity and Ability. Then they entred upon a Conſultation as to the Carrying on of this Deſign; Mr. *Layer* introduced it with repreſenting an Uneaſineſs in the Nation in general, and how fair an Opportunity there was to bring about a Revolution: But Mr. *Layer* tells him, that one of the Firſt and Principal Steps, was to ſeize upon a General, or other Great Man, (which you will obſerve is one part of the Scheme); and upon Dr. *Murphey*'s Recommendation of him as a Fit Man for that Service, *Layer* propoſes to *Lynch* to undertake it. At this time *Lynch* acquainted *Layer* with the Difficulties he had been in, and that an Affair of this Nature would take up ſome time before it could be put in Execution, and he could not well engage in it without ſome farther Encouragement, and a Reward in Money, in order that he might live eaſy and well while he ſtaid here. Upon that, the Priſoner at the Bar promiſed him Supplies of Money for his Subſiſtence, and Expences, what ſhould be neceſſary, beſides future Rewards; and in purſuance of that Promiſe, *Layer* hath ſeveral times ſupplied *Lynch* with Money, to engage him more effectually in this Deſign, and to ſupport him in it. By theſe Aſſurances *Lynch* was prevailed upon, and then agreed to enter into this Conſpiracy, and to take upon him the Part therein that ſhould be ſignified to him.

Gentlemen, The Priſoner did not then make a full Diſcovery of the Perſon that was to be ſeized; but they were to meet again, as they did, about the latter End of *June*, at the ſame Tavern: There the Priſoner diſcloſed to the Witneſs the particular Perſon who was deſigned to be firſt ſeized. He acquaints the Witneſs, that the Perſon he (the Priſoner) intended at their former Meeting, and whom he deſigned the Witneſs ſhould ſeize, is the General of the Army, the Earl *Cadogan*; and *Lynch* was to find out ſuch other Perſons as he could rely upon, for the aſſiſting in, and effecting that Enterprize, whereunto *Lynch* agreed. *Layer* then acquainted him what Steps were already made in the Conſpiracy, and that they were to be headed and commanded by a General, who had Wit and Courage and Reſolution, and who was ſupported by a great many Friends, who had full Power and Authority from the Pretender (whom he called King) to act, and who was intruſted with a Commiſſion as his General, and whoſe Orders *Lynch* was to obey.

The Priſoner and *Lynch* had ſeveral other Meetings, ſome at the *Griffin* Tavern, and others at the Priſoner's own Houſe in *Old Southampton Building*, where the Priſoner always encouraged *Lynch* to perſiſt in the Undertaking, by aſſuring him, that all Things went on well, and that the Deſign was ſo well laid, that it could not probably miſcarry: That they ſhould be aſſiſted by a great many Officers, as ſoon as any Motion was made, and that the Common Soldiers would declare upon the firſt Opportunity; and being ask'd by *Lynch*, whether they had no Foreign Aſſiſtance to depend on; the Priſoner anſwer'd, When we begin the Buſineſs, we ſhall not want Relief, if requiſite. At one of theſe Meetings the Priſoner revealed to the Witneſs, That, upon the Riſing, the *Tower* would be delivered up to them, by means of an Officer, who was to be upon the Guard there on the Day of Execution; and that the People in the *Mint* in *Southwark* would come in to them; who, and all others that ſhould repair to their Party, ſhould have Arms delivered to them; and that the whole Deſign ſhould be put in Execution at the Breaking up of the Camp, which would be the moſt proper Time for the ſpeaking with the Soldiers in the Army.

But at a Meeting they had, ſome time in *Auguſt*, at the *Queen's Head* Tavern in *Great Queenſtreet* near *Lincolns Inn Fields*, *Lynch* complaining of the Delay in putting their Deſign in Execution; and repreſenting the Danger of it, and withal preſſing to know his intended General and Commander, the Priſoner gave him great Encouragement from the good Proſpect of their Affairs, and the Vigilance of the Nobleman at the Helm, who would loſe no Opportunity, when a convenient Time ſhould offer; and promiſed the Witneſs, that he ſhould be preſented to this noble Perſon in due time; from whom *Lynch* ſhould receive his Orders, or Commiſſion for executing his Part, and entring upon his Enterprize.

And accordingly, upon the Twenty fourth Day of *Auguſt*, Mr. *Layer* invites *Lynch* to ride out of Town with him the next Day to take the Air, which *Lynch* comply'd with; and on the Twenty fifth of *Auguſt* in the Morning, *Lynch* went to the Priſoner's Houſe, who appointed *Lynch* to go before, and to ſtay without *Aldgate*.

At that Time the Priſoner asked the Witneſs, whether he mounted with Furniture or Piſtols? who anſwering, that he did not, but that he had a Double-Barrel Fowling-Piece, which the Priſoner's Servant might carry; the Priſoner directed him to get his Piece ready loaden, becauſe he (*Layer*) ſhould carry ſomething with him, which he would not loſe for all the World. *Lynch* and the Priſoner met without *Aldgate* at eleven before Noon, and the Priſoner's Servant carried the Gun, and they rode together towards *Epping* in *Eſſex*, which was the Place they were going to.

Upon the Way as they proceeded, Mr. *Layer* told the Witneſs, that they were going to the Houſe of the Lord *North* and *Grey*, where he would preſent *Lynch* to his Lordſhip, as a particular Friend of his (the Priſoner's.) When they came to the *Green Man* at *Layton-Stone*, at the Entrance upon *Epping Foreſt*, the Priſoner ſaid, it might be beſt to eat ſomething there, becauſe they ſhould be too late for the Lord *North* and *Grey*'s Dinner; and accordingly they ſtopt at this Houſe to dine.

Gentlemen, you will hear from the Witneſs, that at this Place, the Priſoner and *Lynch* had another Conſultation, wherein there was a Repetition and Confirmation of the whole Deſign and Conſpiracy. At this *Green Man*, in your County, Gentlemen, you will find every principal Part of the Conſpiracy, which was to be executed, Conſulted upon, and Agreed unto by them Both: The Time and Manner of the Inſurrection, the Preparations making for it, the Aſſiſtance to be provided and expected from the Army, from many in the City of *London*, and from the Generality of the Nation, as was then ſuggeſted; The

Seizing

Seizing the Earl *Cadogan* as the firſt Step, and the Surprizing the *Tower* in the Manner mentioned in the Plan, by the Help of the Officer upon the Guard; and then they proceeded to Conſider and Approve the moſt daring and execrable Part of the Plan, which was then expreſly repeated by the Priſoner, The making a ſtrong Detachment to ſeize on His Majeſty's Perſon.

The Priſoner then declared his great Satisfaction, in having engag'd a Perſon of ſuch Courage and Conduct as Mr. *Lynch*, in the Attempt of ſeizing the Earl *Cadogan*; and likewiſe named the ſeveral other Great Men, hinted at in the Sceme, whoſe Perſons were to be ſeized, and of whom he had made up his Collection in purſuance of the Plan; and then expreſs'd his Wiſhes ſo to bring Matters to bear, that Mr. *Lynch* might likewiſe have the ſole Direction of Apprehending the Perſons of ſome of His Majeſty's Miniſters, the Lords *Townſhend* and *Carteret*, His Majeſty's Principal Secretaries of State, and Mr. *Walpole*, Firſt Lord Commiſſioner of the Treaſury.

Theſe Perſons, moſt immediately intruſted in His Majeſty's Service, were in the firſt Place to be ſeized, in order to facilitate the Deſign, and to make it ſucceſsful. By this Means the Conſpirators were to weaken His Majeſty's Power of Defending Himſelf, when they had deprived Him of his General, who was to Command and Conduct His Army; of His two Secretaries, who were to Maintain and Carry on His Intelligence; and of the Firſt Commiſſioner of His Treaſury, who was to take care for His Supply.

At this Place theſe Things were debated and conſidered between them: Mr. *Lynch* then again complained of the long Delay, and wiſhed that the Affair might be carried on with more Expedition: The Priſoner thought no Time ſo proper as the Breaking up of the Camp, when they might be ſupplied with Soldiers; yet he was willing to hear any Propoſal from Mr. *Lynch*, and deſir'd Mr. *Lynch*, that if he could think of any ſpeedier Method, or better Scheme, to let him know it: But the Witneſs was not capable to propoſe any way more proper, than what had been agreed upon the Foot of the Plan, as it had been explained by the Priſoner himſelf, and therefore Mr. *Lynch* acquieſced therein.

Gentlemen, At that Time, and at the ſame Place, the Overt-Act laid in the Indictment, of publiſhing the treaſonable Writing, was committed; which was a Declaration framed in the Hand-writing of the Priſoner, to be publiſhed immediately on the firſt Breaking out of the Conſpiracy, to excite the King's Subjects to take up Arms, and to enter into a Rebellion againſt Him; and that it might have an Influence on the Army, where their Hopes were placed, it took Notice, that the King's General was Seized, and in their Cuſtody.

In this Declaration particular Rewards are promiſed to the Horſe and Foot in the Army; different Allowances are made, To every Horſe-man and Serjeant Three Guineas; Two Guineas to every Corporal, and One Guinea to every Common Soldier: All had Promiſes of Encouragement, Favour, and future Reward.

Gentlemen, after this was read, the Priſoner put his Declaration up into his Pocket again; and afterwards (as he acquainted the Witneſs) he himſelf made an Alteration therein; it containing at firſt a General Invitation to Revolt, but was not directed in the Name of any particular Perſon; therefore the Priſoner thought fit afterwards to alter it, (as he inform'd *Lynch*) and to make it in the Name of the Pretender, as King.

Gentlemen, Though their Hopes and Expectations were founded on Corrupting and Debauching the Army; I mention it only as it was their Expectation and Deſign, without any Imputation on the Honour or Fidelity of the Gentlemen of the Army: But Perſons who undertake an Affair of this Nature, are always forward to expect that their Deſigns will be ſucceſsful.

This, Gentlemen, which I have mentioned to you, which will be more fully and particularly given in Evidence to you, againſt the Priſoner at the Bar, was Tranſacted and Committed in the County of *Eſſex*.

My Lord, This will be Evidence of moſt of the Overt-Acts alledged in the Indictment in the County of *Eſſex*; but we ſhall confirm this Evidence by the Confeſſion of the Priſoner, prov'd by two Witneſſes, in whoſe Preſence he acknowledged the ſeveral Facts, which will be charged upon him in the County of *Eſſex*, by the Teſtimony of of Mr. *Lynch*; and ſhall make Proof of other Overt-Acts in the County of *Middleſex*; for it was impoſſible a Deſign ſo extenſive ſhould be confined to one or two particular Places within the ſame County: Their Conſultations muſt be transferr'd from Place to Place, as Opportunity offered, and as they thought moſt conducive to the Purpoſe they were engaged in.

But the Facts I have laſt mentioned, were tranſacted, Gentlemen, in your County. After the Priſoner and Mr. *Lynch* had ſettled theſe Affairs at the *Green Man*, they went to the Houſe of my Lord *North* and *Grey* at *Epping*: They ſtaid there all Night, and dined there the next Day; the Witneſs was introduced and preſented to his Lordſhip by *Layer*, and was civilly received and entertain'd; and the Priſoner at the Bar, as he and *Lynch* returned home, aſked the Witneſs how he lik'd his Lordſhip; and aſſur'd Mr. *Lynch* for Encouragement, that he had greatly recommended him (the Witneſs) to his Lordſhip.

The Priſoner and *Lynch* met a ſecond time at the Lord *North* and *Grey*'s Houſe, where *Lynch* declared he would withdraw himſelf, if Things were not put in Execution: To which *Layer* reply'd, That they would be ſooner put in Execution than *Lynch* imagined.

Gentlemen, You may perceive, by this Evidence, the Priſoner's Explanation of the whole Scheme, and his Execution of it, ſo far as was in his Power; tho', bleſſed be God, theſe, or any farther Attempts of this kind, have not hitherto prevailed.

The Priſoner proceeds farther; and the next Witneſs who will be produced againſt him, is one who had been a Serjeant in the Army, *Matthew Plunkett*. *Plunkett* had been formerly acquainted with the Priſoner, and done him a piece of Service; he was made uſe of to reſcue ſome Goods, when they were taken in Execution, at the Houſe where *Layer* lodged, which was the beginning of their Acquaintance: This, with ſome other Recommendations from Perſons engaged in this Deſign, induced the Priſoner at the Bar to make Offers to him, as you will hear from the Witneſs.

In *June* 1722, another Perſon of the ſame Name, one *James Plunkett*, was directed by Mr. *Layer* to go to this Serjeant *Plunkett*, and deſire him to meet *Layer* at the *Italian* Coffee-Houſe in *Ruſſel-Court*. The Witneſs could not at that Time, at leaſt did not think it proper to go to the Place appointed; but a Day or two after, Mr. *Layer* meets him in *Lincolns-Inn Fields*, and takes him aſide under a Gate-way near *Turn-ſtile*: *Layer* then told *Plunkett*, he would inform him of a Matter that would be of great Advantage and Benefit to him; there *Layer* let him into this Conſpiracy, and engaged the Witneſs in it, not only by aſſurance and promiſe of Reward, but by actual Reward and Money given him; and to induce and to encourage *Plunkett* the more, *Layer* acquainted him, that there were ſeveral Perſons of great Eſtates, who were reſolved to reſcue themſelves and the Nation from the Calamities and Slavery that they then endured; and that they intended to bring about a Revolution, and reſtore their King the Pretender; *Plunkett* objected, that the Pretender was a Papiſt; but the Priſoner reply'd, There was no Difference between a Papiſt and a Lutheran King, and therefore, that ought to make no Impreſſion upon *Plunkett*, to hinder him in joining to bring in a Papiſt.

The Priſoner enquired of *Plunkett*, whether he had no an Acquaintance in the Army, with ſome Officers, an with the common Soldiers; and then engaged *Plunkett* t levy what Perſons he could in their Service; and whe the Witneſs told *Layer* he knew twenty or thirty Serjeants in the Army, proper Perſons to be apply'd to; the Priſoner gave *Plunkett* Directions to make Application to them, and to have them enroll'd; and at that Meeting the Priſoner gave the Witneſs Money for his Encouragement and as they had ſeveral other Meetings after this, to provide and levy Men, the Direction and Employment give by *Layer* to the Witneſs, was, to take care to find ou their Lodgings, and to make Liſts of the Men, of the Names, and Places of Abode, that they might be ready upon Notice.

The Priſoner not only employ'd *Plunkett* to procure, and inroll as many as he could get; but gave him Money for one particular Perſon, one *Child*, who had ſerv'd in the Army, and who was recommended to *Layer* by *Plunkett*, as a Perſon that had been diſoblig'd, by having been turn'd out of the Service; *Layer* himſelf gave *Plunkett* half a Guinea, for to give to this Perſon, to engage him in this Conſpiracy, which *Plunkett* accordingly paid *Child*; *Layer* likewiſe ordered Money at other times to be given to *Plunkett*; and at one time particularly acquainted him, that the Priſoner had left a Guinea with one *Jefferies*, a Non-juring Parſon, to give him, who had given *Plunkett* but half a Guinea.

The Priſoner at the Bar, to encourage *Plunkett*, acquainted him with the Perſons whom *Layer* expected to join in this Conſpiracy; and ask'd the Witneſs his Opinion of ſeveral; the Witneſs will tell you the Names of the Perſons, and what Anſwers he gave; particularly, that *Layer* ask'd him, What he thought of the Lord *North* and *Grey*, for an Officer to be at their Head? The Witneſs anſwer'd, Though he had never ſerv'd under him, he look'd upon his Lordſhip as a great Man.

They had Meetings at ſeveral times, when *Layer* inform'd him, that things were in a great Forwardneſs, tho' it was not yet a time to put their Deſign in Execution; but it went on ſo well, that it could not miſcarry; that the Duke of *Ormond* was to come with a ſingle Ship, with ſome Officers; and that the Deſign had been diſcovered to the *French* Ambaſſador, who had given Intelligence thereof to his Majeſty, or elſe the Affair had been done before that time.

This *Plunkett* was employ'd, from time to time, to prepare Liſts of, and to collect and inrol fit Perſons to go on with this Deſign; and particularly a Number of Serjeants, about Twenty Five, being diſmiſs'd from the Army; the Priſoner engaged *Plunkett* to go immediately to thoſe Perſons, and take care to ſecure them.

Gentlemen, Theſe traiterous Conſults and Tranſactions were in *July* and *Auguſt*; and the Witneſs will acquaint you more fully with the ſeveral Particulars. There was one Encouragement, which the Priſoner gave to this Witneſs, which he did not mention to the other; he told *Plunkett*, there would be an Army of *Dutch* to come over in Aid of his Majeſty, but the Witneſs ſhould ſee a Number of Half-pay Officers, eſpecially thoſe of the Name of *Fitzgerald*, on the ſide of his King (the Pretender) that they could not doubt of Succeſs.

Gentlemen, Under theſe Encouragements and Promiſes, and with theſe Rewards, both theſe Perſons, the two Witneſſes, were engaged by the Priſoner to enter into, and go on with this Conſpiracy. The Priſoner met them apart from time to time; they concerted, and carried on ſuch Meaſures as they thought proper to execute this Deſign, upon the Foot of the Plan which hath been mentioned, and will be produced to you.

After we have produced the Scheme, and likewiſe examined theſe two Witneſſes, who will give you an Account of the Progreſs which the Priſoner made in this Treaſon; we ſhall give you other plain and evident Proof, which will demonſtrate the treaſonable Intent of the Priſoner at the Bar, and his Hopes of Succeſs.

We ſhall prove that the Priſoner hath been at *Rome*, and by his own Confeſſion that he had ſeen the Pretender, and had Conferences with him.

We ſhall prove, that the Priſoner had Blank Promiſſory Notes, or Receipts for Money, ſigned with the Pretender's own Hand, by the aſſumed Title of *James Rex*, found amongſt *Layer's* Papers; which were remitted to him from *Rome*, and which he has acknowledged were ſent over to him, for the raiſing of Money to carry on the Cauſe of the Pretender. This is a ſtrong Evidence of the Truſt and Credit repoſed in him to execute this Conſpiracy; that the Priſoner is a Perſon fully intruſted; the Receipts are in Blank, and the Priſoner had Power to raiſe Money on them, and to fill them up with ſuch Sums as he thought proper and neceſſary.

Gentlemen, On the Examination of our Witneſſes, it will appear, that Mr. *Layer* declared, he had expended great Sums of Money in this Affair; and that he has made it an Excuſe, why he had not Money to ſupply ſome Demands, becauſe he had diſburs'd ſo much.

This therefore was to be his full Power to raiſe Money, towards bringing the Pretender to the Throne.

Beſides theſe Receipts, he had furniſhed himſelf with Liſts of the Officers of the Army, in order to know the Situation and Condition of the Army, and to conſider what Advantage he could make by any of thoſe in the Liſts: He had provided himſelf with Liſts of the Officers of the *Tower*, which, we apprehend, was to render the Deſign of ſeizing the *Tower*, when their Friend the Officer was on the Guard, more probable and hopeful.

Beſides this, we have Letters which will be produced, that paſs'd between Sir *William Ellis*, an Adherent of the Pretender's at *Rome*, and Mr. *Layer*, by the Name of *Fountaine*, (a Name he went by) encouraging him to go on with this Deſign: We have the Cypher, and the Explanation of the Cant Words uſed in thoſe Letters. In one Letter *Ellis* ſays, the beſt Method of carrying on the Manufactory, (which is the Inſurrection) is to get good Workmen, (by which is meant Soldiers) and particularly to gain ſome of the ableſt of Mrs. *Barbara Smith's*, (by Mrs. *Barbara Smith* is ſignified the Army) and this would be very agreeable to all concern'd, particularly to Mr. *Atkins*, (which by their Cypher or Key is a Name for the Pretender.)

And in another Letter there is particular mention of Mr. *Layer's* intended General; you will find in the Letter an Explanation of him, thus; that he, who the Priſoner in his Letter called *Simons*, and deſcribed as a Tenant, though his Name was not then found in the Rentall, this Writer believed he ſhould be called *Simmes*, and ſays, he is of the *North*, a grey hair'd ancient Man, for whom his Friend has a particular Eſteem and Value, as a very good Tenant. This is the Deſcription, and this is the Cant that paſs'd between them; the Explanation you will apprehend, by the Cyphers that were found amongſt the Priſoner's Papers.

Mr. *Layer* was not wanting in other Preparations for this Attempt; for he had provided Arms in his own Houſe, more than he could have Occaſion for, as a private Subject; he had ſeveral Muſquets, and other Fire Arms; he had forty or fifty Cartridges loaded with Bullets, ready made up for ſo many Diſcharges, which might be delivered out to the People who ſhould come in to them: If he had any uſe for ſuch a Quantity, he will ſhew upon what Occaſion.

The Diſcovery of the Facts made by the Witneſſes, occaſioned the apprehending Mr. *Layer*, in whoſe Houſe theſe Arms were likewiſe ſeized.

Mr. *Layer* was ſo conſcious of his own Guilt, that after he was apprehended, he made his Eſcape out of the Cuſtody of the Meſſenger, in whoſe Houſe he was placed; offered a great Reward to Watermen to carry him off: This is a Demonſtration of his Guilt, from the Conviction of his own Conſcience.

Gentlemen, There are ſome other Matters and Papers, which it will be proper to offer to your Conſideration; and moſt of theſe particular Facts, which I have mentioned, or the moſt material of them, have been confirm'd by Mr. *Layer's* own Confeſſion, which he made, upon his Examination before the Lords of the Privy Council. And when we have laid before you this Evidence, as according to my Inſtructions we ſhall very fully, I don't doubt, but that you will do your Duty as honeſt Men.

We don't apply to your Zeal, as you are Proteſtants and *Engliſhmen*; but, upon the Weight of the Evidence, we ſhall appeal to your Juſtice, to your Oaths, and to your Conſciences; whether, upon the whole Proof to be laid before you, you will not remain fully ſatisfied, that the Priſoner at the Bar is Guilty of the High Treaſon whereof he ſtands Indicted, and then that you do find him ſo.

After this Mr. *Attorney-General* ſpoke as follows:

May it pleaſe your Lordſhip, and you Gentlemen of the Jury, I am Counſel on the ſame Side for his Majeſty againſt the Priſoner at the Bar, who ſtands indicted for High Treaſon, in compaſſing and imagining the Death of the

the King. The Preſervation of the Life of the King is of that great Importance to the Safety and Proſperity of his Subjects, that even Imaginations and Intentions (which are but Acts of the Heart) to take it away, manifeſted by Overt Acts, are an Offence of the higheſt Nature which the Law takes notice of; but as Imaginations and Intentions of Men are ſecret, and can't be diſcovered but by their Actions, there muſt be Proof of ſome Fact done in order to carry ſuch Intentions into Execution, to make the Offenders Guilty of Treaſon: Therefore in this Indictment five ſeveral Overt Acts are laid; the firſt is, that the Priſoner at the Bar propoſed, conſulted and agreed with divers Perſons unknown to the Grand Jury, to raiſe an Inſurrection and Rebellion within this Kingdom againſt his Majeſty; the ſecond, that he publiſhed a traiterous Writing, purporting an Exhortation, Encouragement and Promiſe of Rewards, to perſwade his Majeſty's faithful Subjects to take up Arms againſt him; the third, that he propoſed, conſulted and agreed to ſet the Pretender on the Throne by armed Force; the fourth, that he liſted Men to levy War againſt the King; and the fifth, that he propoſed, conſulted and agreed to ſeize and impriſon his Majeſty's ſacred Perſon.

Gentlemen of the Jury, you will readily agree with me, that nothing can be more dreadful to a true *Briton*, who hath any regard to himſelf or his Poſterity, or Love to his Country, than the fatal Conſequences that muſt have inevitably attended ſuch wicked Deſigns, had they been carried into Execution with Succeſs. Suppoſe a Rebellion had been only rais'd, what could any Man have expected from a Rebellion in the Heart of the Kingdom; but Plunder, and Rapine, and Murder, a total Suſpenſion of all Civil Right; and as long as the Storm had continued, a juſt but terrible Apprehenſion of ſomething yet worſe to come? This would certainly have been the Caſe, tho' the Attempt ſhould have been diſappointed at laſt. But had it been attended with Succeſs, had his Majeſty's ſacred Perſon been ſeized and impriſon'd, and had the Pretender been placed on the Throne, what a Scene of Miſery had open'd! A mild Adminiſtration govern'd by the Law of the Land under an excellent Prince, and as juſt and merciful as ever wore the Crown, muſt have given way to Arbitrary Power; all your Eſtates and Properties muſt have been at the Will of a provoked and exaſperated Uſurper; Liberty muſt have given Way to Slavery, and the beſt of Religions to Popiſh Idolatry and Superſtition, and this humanely ſpeaking without any Proſpect or Hopes of Relief. Nor would theſe dreadful Calamities have been confined within the Bounds of the King's Dominions, for ſhould the preſent happy Eſtabliſhment in his Majeſty and his Royal Family (the chief Bulwark and Support of the Proteſtant Intereſt) be deſtroy'd, the Proteſtant Religion in general muſt be reduced to the loweſt Ebb, if not totally extinguiſhed.

This is the Nature of the Crime, and theſe ſome of the fatal Conſequences that muſt have enſued, if the Deſigns charged upon the Priſoner by the Indictment had took Effect. But whether he is guilty of this great Offence, is what you Gentlemen of the Jury are now to try.

My Lord, 'tis my part to open the Nature of the Evidence that we ſhall produce, to prove the ſeveral Overt Acts laid in the Indictment; and in ſtating it to your Lordſhip and the Jury, I ſhall follow the courſe of Time in which the Facts were done, that the Caſe may be more eaſily apprehended, and ſhall open nothing but what I believe will be clearly verify'd by Proof.

This Priſoner at the Bar, tho' brought up to the Profeſſion of the Law, and a Practiſer in it, went beyond Sea in the Year 1720, and at the Cloſe of that Year according to our Stile, or the Beginning of the Year 1721. arrived at *Rome*, where the Pretender then was; while the Priſoner was there, he procured himſelf to be introduced to the Pretender, and had two private Conferences with him, in which (but by what Methods or Repreſentations is beſt known to himſelf) 'tis plain he obtained the Pretender's good Opinion ſo far, that he thought him a fit Perſon in whom a Confidence for carrying on any Deſigns againſt his Majeſty, and for ſetting himſelf on the Throne, might be ſafely repos'd: For this purpoſe a Correſpondence was then ſettled between the Priſoner and ſome Perſons of Diſtinction about the Pretender, and a Cypher of Names, of Perſons and Things was agreed on, in order to carry this Correſpondence on. The Priſoner return'd to *England* about *July* 1721; after which he writ Letters to his Correſpondent at *Rome*, and Anſwers to them came from thence, whereby it will appear, that the Priſoner had undertook a conſiderable Part in the Deſign then carrying on to bring the Pretender in; and altho' theſe Letters are in obſcure and cant Terms and fictitious Names, yet by the Help of the Cypher, and from the Nature of the Letters themſelves, it will eaſily appear to a common Underſtanding for what purpoſe they were writ: This Cypher and Letters we ſhall prove to have been found among the Priſoner's Papers, which were ſeiz'd ſoon after his Commitment, and your Lordſhip and the Jury will ſee when they come to be read, that notwithſtanding the obſcure Terms, and the myſterious Expreſſions inſerted to dazzle the Eye of the Reader, when compar'd with the Cypher they will be ſo intelligible, that they will be a plain Evidence that a Deſign was carrying on of raiſing a general Rebellion in favour of the Pretender; for which purpoſe a Scheme in Writing was prepared, which we ſhall lay before your Lordſhip and the Gentlemen of the Jury, that was likewiſe found among the Priſoner's Papers; and we ſhall prove it to be writ with his own Hand.

Mr. *Serjeant Pengelly* opened the Nature of this Scheme very fully, I ſhall not trouble your Lordſhip with a Repetition of what he ſaid; when it comes to be read it will appear to be calculated for a general Riſing, it will prove a form'd Deſign to ſeize the *Tower*, to ſeize Perſons in great Stations, to ſeize the Bank, and then at laſt to ſeize the Perſon of the King himſelf, and to ſeize his Royal Highneſs the Prince of *Wales*. This we apprehend will be a ſtrong Evidence of the Overt Acts laid in the Indictment, and will confirm the Teſtimonies of the Witneſſes which we ſhall produce.

There are two Witneſſes we ſhall call to prove the Overt Acts laid in the Indictment, they have already been mentioned to your Lordſhip, Mr. *Stephen Lynch* and Serjeant *Matthew Plunkett*. Mr. *Lynch* will prove the ſeveral Overt Acts laid in the Indictment to have been committed by the Priſoner in the County of *Eſſex*, where this Indictment was found; as alſo Overt Acts of the ſame Nature committed by him in the County of *Middleſex*. But as 'tis improper to fall directly upon the Proof of thoſe Facts, without firſt proving ſome other Facts by way of Introduction, as how the Acquaintance between Mr. *Lynch* and the Priſoner at the Bar began, and how they came to be ſo intimate as to enter into a Deſign of this Nature; Mr. *Lynch* will give your Lordſhip and the Jury an Account, that there had been an Acquaintance between Mr. *Lynch* and one Dr. *Murphey* eight or nine Years ago; that they had agreed to join in the Rebellion which was in the beginning of his Majeſty's Reign; after that was over Mr. *Lynch* went beyond Sea, and continued there ſome time, and arrived in *England* in *April* laſt; that their Acquaintance continued, and their Principles were not altered; Mr. *Lynch* meeting Dr. *Murphey*, Dr. *Murphey* (who hath been mentioned to your Lordſhip on a late Occaſion in this Court, and is not now to be found, but had a great Acquaintance with the Priſoner at the Bar) told him he had ſomething advantageous to communicate to him, and appointed a Meeting next Morning at a Coffeehouſe in *Cornhil*, where they accordingly met; and *Murphey* then adviſed him not to go out of *England*, becauſe he had an Opportunity of making his Fortune, telling him there would be a general Riſing in Favour of the Pretender (whom he called King) and that it was carry'd on by Gentlemen of Note and Credit; and if he would accept of the Service, he would recommend him to one greatly concerned in that Affair; Mr. *Lynch* after Conſideration agreed to ſtay——After ſeveral other Meetings between this Dr. *Murphey* and Mr. *Lynch*, at which their Diſcourſe generally turned upon this intended Riſing; about the Beginning of *June* Dr. *Murphey* introduced Mr. *Lynch* to the Priſoner as a Perſon fit to be entruſted in the intended Enterprize; they went to the *Griffin* Tavern in *Holborn*; Mr. *Layer* there expreſſed the good Opinion he had of Mr. *Lynch*, upon the Character he had received of him from ſo good a Friend as Dr. *Murphey*. They ſoon enter'd upon Buſineſs, and the Priſoner, after having made a Repreſentation of the Uneaſineſs of the Nation in general, and of the fair Opportunity there was to

bring about a Revolution, propos'd to Mr. *Lynch* to ſeize ſome General, to which the Witneſs agreed. After this they had ſeveral other Meetings, at which their Diſcourſe turn'd upon the ſame Subject of a general Riſing, in order to ſet the *Pretender* on the Throne; and at one of them the Priſoner declared he intended *Lynch* ſhould ſeize the Earl of *Cadogan*; and that the Scheme was laid on a ſound Foundation, having a great Man at the Head of Affairs, who wanted neither Wit, Courage nor Reſolution, and who would be back'd by his Friends. Several other Propoſitions were made by the Priſoner tending to the ſame End; to all which Mr. *Lynch* agreed, and they conſulted how they might put thoſe things in Execution. In *July* laſt Mr. *Layer* went into the Country for fourteen or fifteen Days; and after his Return in the Beginning of *Auguſt*, in purſuance of what they had concerted, Mr. *Lynch* and he went to view the Earl of *Cadogan*'s Houſe, to ſee how practicable that Deſign of ſeizing him at his Houſe was. Mr. *Lynch* thought it feaſible, but he grew uneaſy at Delays, and frequently told the Priſoner that his Circumſtances would not permit him to continue here at his own Expence; therefore to encourage him to ſtay, and perſevere in the Deſign, Mr. *Layer* gave him ſeveral Sums of Money.

My Lord, Upon the 24th of *Auguſt* laſt, the Priſoner and Mr. *Lynch* agreed to ride out the next Day to take the Air; on the 25th according to Appointment (which brings us now to the Overt Acts in the County of *Eſſex*) they rid out together; the Priſoner thought it proper to ride with Arms, alledging that he had things about him he would not loſe for any thing in the World. Upon the Road he told Mr *Lynch* they would go to Lord *North* and *Grey*'s, with whom the Priſoner had the Honour to be well acquainted, and he would preſent Mr. *Lynch* to my Lord as his particular Acquaintance. It happened to be too late to get to Lord *North* and *Grey*'s by Dinner, whereupon they put in at the *Green Man* near *Epping-Foreſt*, which, Gentlemen, is at *Layton-Stone* in your County. Dinner not being ready at their coming thither, they entred into Converſation on the former Topicks; and Mr. *Lynch* deſiring to give him ſome Inſight into the Scheme that was formed, the whole Subject matter of their former Conſultations and Diſcourſes were repeated about ſeizing Lord *Cadogan*, ſeizing the Miniſters of State, of getting part of the Army to declare for them, and for ſeizing the King's Perſon; and theſe things were then agreed to by them. At this Place it was, that the Priſoner pulled out of his Pocket, and ſhew'd to Mr. *Lynch* the traiterous Writing laid in the Indictment, which was a Declaration to encourage a general Riſing, writ as the Witneſs believes in the Priſoner's own Hand: and that Part which contained the Promiſes of Rewar be given to the Soldiers and other Perſons, to encourage them to come into their Deſigns, was read by the Witneſs; after which Mr. *Layer* took his Paper away, and put it up in his Pocket again. My Lord, when they had dined, they went on to Lord *North* and *Grey*'s Houſe, (whom your Lordſhip will hear mentioned by the Evidence as the Perſon thought on to be General in this Undertaking;) they ſtaid there that Night, and dined there next Day, and afterwards had a ſecond Meeting at Lord *North* and *Grey*'s. Your Lordſhip and the Jury will be pleaſed to obſerve, that this Evidence will be a full and poſitive Proof by this Witneſs, that the Overt Acts of publiſhing this traiterous Writing, encouraging Perſons to take up Arms againſt his Majeſty, of the Conſultations and Agreement to levy War, to ſet the Pretender on the Throne, and to ſeize his Majeſty's Perſon, were done at the *Green Man* in the County of *Eſſex*: And this will likewiſe be an Evidence, that all the Overt Acts laid in the Indictment (except publiſhing the traiterous Writing) were done in the County of *Middleſex*.

My Lord, The next Witneſs we ſhall produce, is *Matthew Plunkett*, formerly a Serjeant in ſome Regiment; he had been formerly acquainted with, and had been ſerviceable to the Priſoner, and was very well acquainted with one *James Plunkett*, which *James Plunkett* was a great Acquaintance of the Priſoner's. This *James Plunkett* deſired the Witneſs *Matthew Plunkett* to meet the Priſoner in *July* laſt, at the *Italian* Coffee-Houſe in *Ruſſel-Court*, which the Witneſs could not comply with; but the Witneſs met the Priſoner the *Sunday* following in *Lincoln's-Inn* Fields; they were together near an Hour; the Priſoner gave him an Account of the intended General Riſing, and ask'd the Witneſs if he knew any old Serjeants or Soldiers who could diſcipline a Mob, agreed with him to procure ſuch, mentioned to him ſeveral Perſons fit to be at the Head of this Enterprize; and in order to make him diligent, he gave him at that time half a Crown: And Money was not only given him at that time, but a Promiſe was made to him of further Rewards. The Priſoner having Occaſion to go into the Country, one *Jeffreys* a Non-juring Clergyman, was ſent to *Matthew Plunkett* by *Layer* (and this Fact that I am going to open muſt not be barely conſidered as an Act between *Jeffreys* and *Plunkett*, but it will be brought directly home to the Act of *Layer* himſelf.) *Jeffreys* told *Plunkett* he came from the Priſoner, and that he was employ'd by him to go to ſuch as the Witneſs was, who were old Serjeants, to get a Number of them together to diſcipline the Mob, in order to the general Riſing: The next Day they met again, and had the like Diſcourſe, and *Jeffreys* gave *Matthew Plunkett* half a Guinea; and what brings this home to the Priſoner is, that he told *Plunkett* he had left a Guinea with the Non-juring Parſon to give him, and talked with him on the ſame Subject that *Jeffreys* had diſcours'd the Witneſs before. But in fact *Jeffreys* did not give *Plunkett* the Guinea, he gave him but half a Guinea.

My Lord, After Mr. *Layer* went out of Town, *Plunkett* gave him an Account what Progreſs he had made in the Affair. *Plunkett* told him that he had got ſeveral old Soldiers that would bear a part in this Buſineſs: The Priſoner ſaid he muſt take care to keep a Liſt of their Names, and the Places where they lived, that they might be in Readineſs when they ſhould have Occaſion for them. And on *Sunday* before the Priſoner was taken up, he told this *Plunkett*, that a great many of his Countrymen were turn'd out of the Guards, and ask'd him if he knew where they lodg'd; and upon the Witneſs's Anſwer that he did not, the Priſoner directed him to take a Liſt of their Names and Places where they lodg'd, that he might have them when Occaſion required. So that here is Mr. *Lynch*, a poſitive Witneſs as to the Overt Acts in *Eſſex*, Mr. *Lynch* and Mr. *Plunkett* poſitive as to the Overt Act in *Middleſex*, and their Teſtimony confirm'd by the Scheme under the Priſoner's own Hand, and other Papers which we ſhall produce found among his Papers, which will leave no room to doubt of the Truth of their Evidence. Beſides, my Lord, the Priſoner being ſeized in *September* laſt, we ſhall give an Account when he was in Cuſtody of a Meſſenger, lock'd up in a Room two pair of Stairs high, he made a ſhift to make his Eſcape, got to the Water-ſide, and got a Sculler to carry him over the River; he actually got over the River, but he was retaken again in St *George's Fields*, and brought back to the Meſſenger, and offer'd very conſiderable Sums to the Perſons who retook him to let him go. I believe it is hardly to be imagin'd, a Perſon perfectly Innocent would venture to get out of a Room two Story high, and in the manner he did, and offer'd to give ſuch a Reward to the Perſons who retook him, to let him get off; he muſt be conſcious to himſelf that he was in very great Danger. There were likewiſe found in his Houſe Arms more than neceſſary for his Uſe, and which he confeſs'd were to be uſed if there had been a Riſing.

My Lord, To corroborate the Teſtimony of the Witneſſes, we ſhall lay before your Lordſhip and the Gentlemen of the Jury, the ſeveral Papers which were found, I may ſay, in Mr. *Layer*'s Cuſtody; I don't ſay they were actually taken in his Cuſtody, but it will come to the ſame thing, for he had delivered them in two Parcels to Mrs. *Maſon* the Witneſs, whom we ſhall produce, with Directions that ſhe ſhould take particular Care of them, and they were ſeized in her Cuſtody not long after the Priſoner was committed to the Cuſtody of a Meſſenger; ſhe ſaw every one of them mark'd by the Perſons who ſeiz'd them, and mark'd them herſelf: There are not only the Scheme and the Cyphers and Letters mentioned before, but alſo ten promiſſory Notes ſubſcribed by the Pretender; theſe promiſſory Notes run,

*I Acknowledge to have receiv'd from the Sum of which Sum I promiſe to repay with an Intereſt for it at the Rate of* per Ann.

JAMES R.

Can any Man imagine, if there was nothing elſe to explain them, that theſe Notes were there for nothing? Every Body muſt believe that they were intended to be made uſe of to carry on the Conſpiracy; but we ſhall ſhew by the *Priſoner's* own Confeſſion, that they were ſent over to him by Sir *William Ellis*, in order to be made uſe of as Occaſion ſhould ſerve, to promote theſe Deſigns in favour of the *Pretender*. Among theſe *Papers* ſeveral Liſts were found, which will be produced, ſome of which contain the Number of the Officers and of the Soldiers in the Guards, ſome the Names of other Officers and Soldiers, and ſome the Number of the Officers belonging to the *Tower*. It muſt be owned, that in ſome of thoſe Liſts, there are the Names of ſeveral *Perſons* of as great Honour, Loyalty and Fidelity to his Majeſty, as any Subjects his Majeſty hath; yet the procuring theſe Liſts could be for nothing but to get an Information of the Number and Character of the Perſons in his Majeſty's Service, to know the Strength of his Majeſty's Forces, that Intelligence might be given and Schemes fram'd accordingly, and that there might be tampering with ſuch as there could be any Hopes of bringing over into the *Pretender's* Intereſt: If the Priſoner can put any other Conſtruction upon his having theſe Liſts in his Cuſtody, he will have an Opportunity to do it. Theſe things being proved, I apprehend there remains no doubt but that the *Priſoner* will appear to be Guilty of the Crime charged on him in this Indictment. But beſides all this, we ſhall prove his Confeſſion by two Witneſſes, whereby he confeſs'd every Overt Act laid in this Indictment, the ſeveral Tranſactions that Mr. *Lynch* and *Plunkett* will give account of, and almoſt all the Facts that I have mentioned before. I ſhall conclude with this, Gentlemen of the Jury, that if we make out theſe Facts as they have been opened, and according to my Inſtructions I have no reaſon to make the leaſt Queſtion of it, it muſt be left to your Conſideration whether the *Priſoner* at the Bar is guilty of the Offence for which he ſtands Indicted or not: If you ſhall be ſatisfy'd by the Evidence that he is, I do not doubt but you will do Juſtice, (which is all that is deſired of you) and find a Verdict for the King.

N. B. *An Account of this TRYAL will be continued in next Saturday's* LONDON JOURNAL, *in three Sheets, as the preſent Supplement.*

At the *HAND* and *PEN* in Butcher-Hall-Lane, Newgate-ſtreet, on Mondays, Wedneſdays and Fridays; and At the *HAND* and *PEN* over-againſt Somerſet-houſe, near the New Church in the Strand, on Tueſdays, Thurſdays and Saturdays,

*There is come from* Edenburgh *in* SCOTLAND, *one that teaches a new Method of Short-hand, being the moſt eaſy, exact, lineal, ſpeedy, and legible Method yet extant, having no Letters plac'd above or under other Letters, nor Marks for Words or Sentences, nor ſtuff with Dots, and ſo legible that his Scholars can read one another's Writing diſtinctly: By this new Method, you are taught by one Rule (which can be learnt in the ſpace of an Hour) to write by the Engliſh Perſons, Moods, and Tenſes, &c. whereby you can join in every Sentence at leaſt 2, 3, 4, 5, 6, 7, or more Words in one, without lifting off the Pen, in the twinkling of an Eye; and every one of theſe Joinings are writ in almoſt half the Time and Room, and are a great deal more plain than if every one of theſe 7 or more Words were all ſeparately written: By which Means any Perſon that can but tolerably write their own Names in Long-hand, may with Eaſe take down from the Speaker's Mouth any Sermon, Speech, Tryal, Play, &c. Word by Word, though they know nothing of Latin. He hath collected and drawn out in the Long-hand all the principal Words in the Engliſh Tongue upon one Side of a quarter of a Sheet of common writing Paper, and yet that quarter Sheet contains or makes up at leaſt one half of all Engliſh Books; for Proof whereof they ſhall ſee the ſaid quarter Sheet compar'd with any Page of any Engliſh Book. He will perfect them (tho' they live 9 or 10 Miles from London) within 8 or 9 Weeks, they writing only by themſelves half an Hour a Day, by his Direction once in 6 Days: Thoſe that have learned another Method of Short-hand will learn this new Method ſooner than others can. He hath taught both Sexes; and thoſe that have been writing by other Short-hand Methods above 20 Years. And hath now the Honour to teach ſeveral Noblemen, Members of Parliament, Clergymen, Gentlemen, Ladies, and others. He hath the Bible and Singing Pſalms written by him in this Character, and hath been employ'd for taking down the Pleadings, concerning the Callicoes, before the Honourable Houſe of Commons. The Nature, Uſes, and Excellency of this new Method, with a Demonſtration that the Short-hand doth not in the leaſt ſpoil the Long-hand, but is rather a Furtherance to it, are more fully contained in his Advertiſements in Frames on the Royal Exchange, wherein he publickly challenges all the Teachers or Writers of Short-hand in London, to keep equal Pace with ſeveral of his Scholars, and will lay them five Guineas to one Guinea thereon.* JAMES WESTON.

N. B. *He teaches nothing but this New Method of Short-hand, and it is taught by none in Great Britain but himſelf, he being the Inventer thereof.*

‡§‡ *WHEREAS ſeveral People of late Years have been induced to believe that Wrought Silks, &c. of the Manufacture of China, Perſia, and Eaſt-India, may be lawfully worn and uſed in Apparel and Furniture in this Kingdom, notwithſtanding an Act of Parliament made in the 11th and 12th Year of King* William, *intitled,* An Act for the more effectual Imploying the Poor, by encouraging the Manufactures of this Kingdom; *this is to give Notice, that the Manufacturers have adviſed with eminent Counſel, who are of Opinion, on Peruſal of the ſaid Act, That all ſuch Goods worn or made uſe of in Apparel or Furniture within this Kingdom (if not made up before the 29th of Sept. 1701) are liable to be ſearched for, and ſeized as other unuſtomed and prohibited Goods; and that the Perſons who ſhall uſe or wear the ſame, in Apparel or Furniture, as aforeſaid, are over and above the Loſs of the ſaid Goods, further liable (in the Opinion of the ſame Council) to the Forfeiture of* 200 *l. for every ſuch Offence, by Virtue of the ſaid Act of Parliament; and that no Perſon whatſoever may unwarily incur either of the ſaid Penalties for the future, This is to give Notice, that effectual Proviſion is made for proſecuting on the ſaid Act, all ſuch Perſons who ſhall be found offending by wearing or uſing in Apparel or Furniture, any of the ſaid prohibited wrought Silks.*

N. B. *The ſaid Act is now reprinted, and may be had at the King's Printing-Houſe in Black-Fryers.*

GEORGE WISE, *Mercer,*

*Removed from the Queen's-Head, in Ludgate-ſtreet, to the New Silk Ware-Houſe, up one Pair of Stairs, at the Sign of the Angel, a Linnen-Draper's, over againſt the Horſe at Charing-Croſs, ſells all Sorts of Mercery Goods as uſual, with variety of Morning Gowns, and the fineſt Silk Pleds and worſted Pleds, at very reaſonable Rates.*

This Day is Publiſh'd, The Second Edition of

†*† Popery againſt Chriſtianity: or, An Hiſtorical Account of the preſent State of Rome, the Election of the late Pope, the Proceedings of the Jeſuits in China; and alſo in England and other Proteſtant Countries. With an Appendix, containing the Lives and Canonization of the laſt four Saints; and ſeveral Decrees of Popes contradicting one another. The Second Edition. By Mr. J. Gordon. Printed for J. Peele at Locke's Head in Pater-noſter Row.

Where may be had, juſt publiſhed, the Second Edition of

†§† The LAST-DAY. A Poem, in Twelve Books. By the late J. Bulkeley, Eſq; of Clare-Hall, in Cambridge; Author of the Letters to the Reverend Dr. Clark, on Liberty and Neceſſity.

NO ſooner was the Publick inform'd of the Sympathetick, for the Cure of the Gout, from America, but Anodyne, in Print, audaciouſly claims a Right to a Diſcovery from the ſame Place, communicated in the ſame manner, conſiſting of the ſame Subſtance, and attended with the ſame Succeſs; likewiſe expreſſed in the ſame Words, in nothing differing but Price, which he told the World, in compaſſion to thoſe that could not command Five Guineas (the Price of the American) they ſhould have For a Guinea and a half; but going, in Diſguiſe, into Coffee-houſes, and obſerving the Converſation of the judicious bent upon declaiming againſt him and his Chymerical Suppoſitions, he at once alters the Price to Five Guineas, and ever ſince has endeavour'd to come in all things as nigh the Original as poſſible, but being detected in ſo vile an Impoſition, he exerts himſelf with all his diſmal Rhetorick to blacken that which is out of his Power to conceive. The Gentlemen in Crane-Court having made ſuch Honourable Propoſals, has ſo incenſed and confounded poor Anodyne, that inſtead of anſwering any one Objection, he flies from one Fallſity to another, till at laſt, like one juſt drowned, he is willing to catch at every Ruſh, and now, paſt Hope, and gaſping for Breath, propoſes Things which he leaves a Woman to perform, not daring to comply in Perſon with his own Offers. It is ſtrange in all this time, tho' often challeng'd to do it, he cannot produce one Perſon, out of ſo many who have try'd his Stupendous, and who, according to his Aſſertion, are all cured, to ratify the Truth of it. The true Sympathetick, which cures the Gout by being only carried in the Pocket, is to be had only of the Gentleman who brought it over, at the firſt Houſe on the the Right-Hand in Crane Court in Fleet-ſtreet, near Fetter-lane, for Five Guineas, who with it will give a Note for the return of the Money in Six or Twelve Months, or whenever demanded.

WRIGHT's Diuretick or cleanſing Tincture.

WHich Urinarily diſcharges all the Fæces, or putrid Relicts of the Lues Abſcondæ, or Venereal Infection, and chaſes the Coxa veltanea, the wretched Train of that complicated Diſtemper, as a noiſome, filthy, ſeditious Matter lodg'd in the Reins, or ſpermatick Parts, which either cauſe a ſharpneſs in the Urine, or too frequently provoke it. This Relict is diſcoverable, partly by the ſubſequent Symptoms, viz. by a Debility, or Weakneſs of the Back, a ſmall, nauſeous, and ſtarting Smell of the Urine, with purulent Matter, or feculent Sordes reſiding at the bottom, or lying in it, with variety of Figures. Further, this Tincture cleanſes off all Relicts on the Venereal Diſeaſe, after ill managed Cures, not only cleanſing the Urinary Paſſages of all Sand, Gravel, Stone, or membraneous Pellicles, &c. but after a ſingular Efficacy, invigorating the Reins, reſtoring them, and all thoſe Genital Parts, to their original Tone and Uſe, though the Misfortune and Decay be of the longeſt Date, with an equal Succeſs in each Sex. To be had of Dr. WRIGHT, for Ten Shillings per Bottle, with Directions for its Uſe, only at his Houſe, the Golden Head and Two Lamps in Bell-Savage Yard on Ludgate-Hill.

The Widow *CRESSETT,*

AT the *Two Golden Sugar-Loaves* at *Charing-Croſs*, over-againſt the King on Horſeback, gives Notice, by Order of the Maſters of the *Bath* and the Pumper, and alſo of the Maſter of the *Hot Well* of the *Briſtol Waters*, That ſhe hath them freſh every *Wedneſday* and *Saturday*: She alſo ſells the True *German Spaw* and all other *Mineral Waters.*

THE Cambrick Chamber, is Removed from St. Martin's le Grand, to Mr. Tho. Atkins, up one pair of Stairs, at the Sign of Buchanan's Head, a Bookſeller's Shop, the Corner of Milford-lane over againſt St. Clement's Church in the Strand. Where there is to be ſold all ſorts of fine Cambricks, fine Lawns, and all ſorts of good Hollands by the Importers, at Reaſonable Rates. Attendance Will be given from Morning till Night. N. B. There is a freſh Parcel of all the Sorts as above-mentioned, juſt arrived Superfine Good: There is likewiſe at the ſame Place an extraordinary Parcel of Dutch Quills to be diſpoſed of, newly landed, alſo fine Bohea and fine Green Tea to be Sold.

***** The VAPOURS in Women infallibly cured in** an Instant, by an never to enough applied, by an admirable Chymical Secret, a few Drops of which inhaled in a Fit in a Moment dispels Sadness, clears the Head, frees from all Swimmings, Giddiness, Dimness of Sight, Flushing in the Face, Pain in the Stomach, and most certainly prevents the Vapours returning again for ever by rooting out the very Cause, it perfectly cures, as Hundreds have experienced: It also Strengthens the Stomach and Bowels, and causes Liveliness and Healthfulness. It is now sold only at Mr. Radford's Toy-shop, at the Rose and Crown against St. Clement's Church-yard in the Strand, near Arundel-street End; price 2 s. 6 d. a Bottle, with Directions. Beware of Counterfeits at other Places.

*The Grand* CATHARTICK: *or, The Great Restorer and Preserver of Health; prepared by several eminent Physicians, for the common Good of Mankind.*

*Now sold in 279 Towns in Great-Britain.*

Note, *It may be safely taken at any Season of the Year, for neither Heat nor Cold hinders its friendly Operation.*

This Medicine is composed of the richest and choicest Ingredients, and is chiefly designed for those who can't bear the ill Taste of Electuaries, Pills, &c. for it is the most pleasant Medicine in the World, and answers all those Ends o Cure in which purging is required, and that too without Griping, Loathings, &c. In a Word, nothing can compare with it in the Cure of the Cholick, Dropsie, Scurvy, Breakings out of the Body, Jaundice, Agues, Colds, Surfeits, Greensickness, Vapours and Spleen, Rickets, Convulsions, &c. It helps Digestion, restores a loft Appetite, and prevents Reachings in a Morning, and Morning Sweats. It is highly necessary to be taken after the Small-Pox, and all sorts of Fevers; it expels Gravel and Sand, and prevents Breeding of the Stone; and for all Distempers, wherein Purging is required, it has not its Fellow in the World; for which Reason, those who value the Health of their Families, ought never to be without it. And those who are willing to preserve their Health, must not omit taking it at Spring and Fall. Sold Wholesale and Retail at the Printing Office in Bow-Church-Yard, Mr. Russel at the Gallon Pot, in Market-Lane, facing Charles-Street, by St. James's Market; Mr. Wildey, at the Great Toyshop and Grand Magazine of Curiosities, Ludgate-Street. M. Hall under the Dutch Church Austin Friars; at the Black Boy on London Bridge; at the Frame Makers in Bere Street, at the King's Head, Bloxton-Square; at the Knave of Clubs in Nicholas-Lane; at Mr. Cobbs in Plumb-Tree-Street, St. Giles's; Mr. Douce, Perfumer, Grace-church-Street; Mrs. Powel, next the King's-Head in White-Chappel; Mrs. Naylor in Wetmore-Bar-hall; Mr. Stevenson, Bookseller, next the Pastry-Cook's, the Corner of Gracechurch-Street; Mr. Raddon, Tobacconist, at Green-Bank, Southwark; Mr. Morgan, Glover at Lincoln's Inn Back Gate and at the City Cryer's Office, in King Street, near Guildhall. Where 'tis not Sold, any credible Person may be supply'd by J. Clare in Bow-Church-Yard.

***** An infallible Cure for the SCURVY, and all its** most grievous Symptoms in both Sexes, and in Persons of all Ages and Constitutions, by unparallel'd Chymical Drops, which purify the Blood and Juices, rectify and sweeten all the Fluids, cleanse them from all Manner of Impurities and perfectly clear the whole Habit of all Spots, Blotches, Surfeits, Itchings Breakings out, and every other Defilement of the Skin, certainly removing all Weakness and Imbecility common to many Scorbutick persons, and absolutely eradicating the Scurvy, and all its shameless Symptoms in a most wonderful manner, entirely destroying it Root and Branch, so as never to return again; and that in a very short Space of Time, without the least Sickness, Trouble or Confinement, as Thousands have experienc'd. Are sold only by the Author's Appointment by the Gentlewoman at the two blue Posts in Haydon-Yard in the Minories, at 2 s. 6 d. a Bottle, with Directions.

*Just arrived from ROCHELLE,*

A Cargo of extraordinary fine Hungary Water, one Spoonful of which turns a Glass of Water as white as Milk, to be Sold at 15 d. each half Pint Bottle at Mr. Bates at the Hat and Star the North East end of St. Paul's Church-yard; and at Mr. Heath's, Mathematical Instrument-maker, next Door to the Fountain Tavern in the Strand: At both Which Places are Sold true Barbadoes Water at 8 s. the Quart.

*The Fam'd WORM-PLAISTER,*

††§ Published chiefly for the Benefit of Children that are averse to take Physick, which though an outward Application only, yet exceeds in Virtue most internal Medicaments; for it infallibly destroys all sorts of Worms in Persons of all Ages, Sexes, or Constitutions, in a very little Time; and removes the Cause, or Seeds of those Vermin, and thereby prevents the Persons relapsing, without taking any thing inwardly, or any the least Danger or Inconvenience; for though it is principally recommended for the Destruction of all sorts of Worms in Children, or grown Persons, having destroyed Thousands; it is also peculiarly serviceable to all Weakly and Rickety Children; for it is not only a Cordial to the Stomach of Weakly Children, opening Obstructions thereof, and thereby relieves such as are inclined to Rickets; but it also prevents Convulsions, and Cures many other Distempers incident to Children: As will appear by the Directions at large given with the Medicine: Which is Sold for 2 s. 6 d. the Gallipot, at the Golden Ball, the Corner House of Bear-Alley, by Fleet-Ditch, near Holborn-Bridge.

†|† Specifick DROPS for Deafness, Thickness of Hearing, Pain and Noise in the Ears, &c. The laudable Effects of which are truly surprizing, for they remedy all Defects of the Hearing Faculty, tho' of some Years standing, almost in an Instant, causing those to Hear exceeding quick and well, who before were in a manner totally Deaf. They effectually remove all Pain occasioned by Cold, comfort and strengthen the Tympanum or Drum of the Ear, free the Auditory Nerve from Obstruction, and rectify all Disorders so absolutely, and in such a short Space of Time, that one would think it almost impossible, did not very great Experience le-vince the Truth of it. To be had only by the Author's appointment of the Gentlewoman at the Two Blue Posts in Haydon-Yard in the Minories, at 3 s. 6 d. a Bottle with Directions.

**§** A Certain and Infallible Cure for the** SCURVY, of the longest Standing, and the most aggravated Circumstances, by a Cordial Elixir, so peculiarly adapted to that Disease in all its Forms of appearing, from the diabrett itching Humour in the Blood, to its utmost or last Effort on humane Nature: It is not a rugged Purgative that disturbs the Patient in taking it, but a true Specifick Cordial, that perfectly cures that Distemper by gentle Evacuation, by Stool and Urine, and so powerfully rectifies the Blood and Juices, that scrophulous Cases are also speedily cured by it: And all Spots, Blotches, Pimples, &c. on the Skin, are quickly and entirely taken off. It is a Cordial to the Stomach, removes all Pain from it, helps Digestion, and is peculiarly serviceable to Maids inclined to, or troubled with the Green-Sickness, and is so particularly adapted to all Constitutions, that it is also the most general Family Medicine that ever was known, to be taken Spring and Fall, to preserve Health. It hinders no Business or Recreation in taking it. It is Sold at 2 s. the Boule, at the Golden Ball the Corner-House of Bear-Alley by Fleet-Ditch, near Holborn Bridge; where good Allowance is given to Country Shop-Keepers, &c. (one in a City, or Town) to sell again.

Note, This Great Medicine is Sold no where else in London. This Caution is given to prevent Mistakes, or Pretentions of any in Imitation of it.

*Steel Spring or jointed Trusses for the Cure of* RUPTURES, *soft to new-born Infants, and effectual to the aged: Persons in the Country sending their Rupture, and which Side the Rupture is, may be supplied with the Trusses, and proper Directions by* PETER BARTLET, *at the Golden Ball in St. Paul's Church-Yard, near Cheapside, London. His Mother Mrs.* M. BARTLET, *at the Golden Ball over against St. Bride's Lane in Fleet-street, is skilful in this Business to her own Sex. Her Steel Spring Trusses for Ruptures at the Navel, are not only more effectual, but safer than those made with-Steel.*

AT the HUNGARY WATER Ware-house, remov'd from the Black Boy and Comb in Fleet-Street, to the Black Boy and Comb in Ludgate-Hill, the Corner of Bell-Savage Inn, a Toyshop, is sold right French Hungary Water in large Half Pint Flint Bottles, at One Shilling and Three pence; such, being the same sort sold there several Years, or rather better, being a fresh Parcel. One Spoonful turns a Glass of Water as white as Milk, which the counterfeit Sort made here, only turns of a sky colour, by reason the Spirits and Flowers are not so good in this Country as in France. So beware of Counterfeits made of English Malt Spirits, put in the same sort of Bottles and sold at several Places in Town and Country, but still not turn Water white. Note, Merchants and others, may be supply'd by Wholesale and sold as where else in England, but at the Place abovementioned.

***** Famous DROPS for Hypochondriack Melan-**choly: Which effectually cure on the spot, by rectifying the Stomach and Blood, cleansing them from all Impurities, and giving a new Turn to their Ferment, attenuating all viscous tenacious Humours (which make the Head heavy, clog the Spirits, confuse the Mind, and cause the deepest Melancholly with direful View and black Reflections) comforting the Brain and Nerves composing the hurried Thoughts, and introducing bright lively Ideas and pleasant Briskness, instead of dismal Apprehensions and dark Incumbrance of the Soul, setting the Intellectuals at Liberty to act with Courage, Serenity and steady Chearfulness, and causing a visible diffusive Joy to reign in the Room of uneasy Doubts, Fears, &c. for which they may be truly esteem'd Infallible. Price 3 s. 6 d. a Bottle, with Directions. Sold only at Mrs. Bell's, Bookseller, at the Cross Keys and Bible in Cornhill near the Royal Exchange.

The Princely LOTION,

***** Which beautifies the Face, Neck, and Hands to** the utmost Perfection, and is in the greatest Esteem amongst Ladies, &c. of the 1st Quality: No Words can sufficiently express its Virtues, for it is not Paint to put a false and unnatural Gloss on the Skin, but a true Remedy, that by its Use really adds a Lustre to the most beautiful, enhancing the fine Features of the Face, and beautifying the Neck and Hands to the greatest Perfection, and is so safe that it may be taken inwardly, or if smelled to is really good against Vapours, &c. In Ladies, the very reverse of all other Remedies of this kind, that raise the Vapours. It infallibly kills Worms in the Face, takes away Freckles, Spots Wrinkles, Pits or Marks of the Small Pox: and effectually cures any Defects in the Face, giving a charming Youthful Lustre, and fine Air to the Features to Admiration. As for such Persons as are of a Swarthy Complexion, or troubled with any disagreeable Redness, Roughness, Morphew, Heats, or the like, it is not to be parralled: For it immediately smooths, clears, plumps, nourishes, and whitens the Skin to the last Degree, and makes those Persons who before look'd haggard and old, to look young beautiful and fair, and in short, it far exceeds any thing that was ever yet known for clearing and beautifying the Skin. I Sold only at Mr. Ward's Toy-shop, at the Peacock near the Swan Tavern, against the Royal Exchange in Cornhill, London, at 3 s. a Bottle, with Directions. N. B. Mr. Ward, by my Order, gives good Allowance to Country Shop-keepers, &c. that send for it by the Dozen (for ready Money) to sell again: It's presum'd one Person (for we allow no more) in every City and Great Town in England, Scotland, and Ireland, will send for it. It will keep under Seven Years, and give universal Satisfaction. It is a late acquir'd Secret, known to most but the Author thereof.

THE Royal Beautifying FLUID for the Face, Neck, and Hands, which gives an inexpressible fine Air to the Features of the Face on the Spot, and a surprizing Handsomeness to the Neck and Hands on which last Account, several Gentlemen as well as Ladies, admires it wonderful Excellency, it immediately making Red or Rough Hands exceeding Smooth, Fine, and delicately White; it certainly takes away all disagreeable Redness, Spots, Pimples, Heats, Roughness, Wrinkles, pitting of the Small Pox, Freckles, Morphew, Worms in the Face, sun-burn, or any other Discolouring, instantly causing a lasting youthful Fairness, Smoothness, and Delicacy, and making the Skin become incomparable fine, clear, plump, soft, and charming fair to Admiration: It is so safe it may be taken inwardly, has a pleasant scent, and will not soil the finest Lawn. Is now Sold only at Mr. Radford's Toyshop, at the Rose and Crown against St. Clement's Church Yard in the Strand, near Arundel-street End. Price 3 s. 6 d. a Bottle, with Directions.

The Full

# TRYAL,

## Examination, and Conviction

OF

515. l. 2
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# Mr. James Taylor a Tanner,

At *Kingston* Aſſizes, before the Lord Chief Baron *Ward*, on *Friday* the 12th Day of *March* 1702/3 for Vindicating by Seditious Words the Horrid Murther of King *Charles* the Firſt, the Calves Head Clubb, and others Scandalous and Dangerous Expreſſions againſt the Queen and all the Race of the Royal Family. *&c.* Who was Proſecuted by *William Borret*, Eſq;

THE Court being Sat and the Jury Sworn, they proceeded to Tryal as followeth.

The Names of the Jury.

| | |
|---|---|
| *Robert Roffey.* | *Joſeph Brown.* |
| *Thomas Terrill.* | *Joſeph Edmead.* |
| *Joſeph Wittington.* | *Henry Rodgers.* |
| *Thomas Coleman.* | *Thomas Bradford.* |
| *Henry Ward.* | *Joſeph Collier.* |
| *Samuel Jervis.* | *Joſeph King.* |

THE Indictment being Read and the Cauſe opened, and very Excellently explain'd by the Queens Councel; the Evidence againſt the Priſoner being in number three, was Sworn, who gave their ſeveral Depoſitions, *viz.*

The firſt Evidence for the Queen was *John Albery* of *Long Lane Southwark*; who depoſed that the Priſoner *James Taylor* a *Tanner*, Living in the ſame Place, was in his Company on the 30th of *January*, 1701. it being the Faſt Day for the wicked and execrable Murther of King *Charles* the Firſt, at the Houſe of *Thomas Moel* a Victular at the *Dukes Head* in *Long Lane* as aforeſaid; and that he the ſaid *Taylor* did then and there expreſs himſelf very Wickedly and Seditiouſly to this Effect: *It is a brave Holy Day*; To which the Evidence Reply'd it was no Holy Day, but a ſolemn Faſt Day: Upon which the ſaid *Taylor* asked, *for what?* Mr. *Albery* anſwered, for the Sins of the Nation, for the hainous and barbarous Murther of King *Charles* the Firſt; whereupon *Taylor* ſaid *he then would warrant that he had not been at the Calves Head Clubb, or Feaſt that Day*: To which Mr. *Albery* anſwered thus, *I am none of thoſe Rogues*. But ſaid *Taylor then you are one of thoſe Blockheads who believes that King* Charles *the Firſt Dy'd a Martyr.* Upon which Mr. *Albery* reply'd, that he was one of them that he call'd Blockheads, if he counted thoſe who Lov'd King *Charles*, to be ſo.

At which time *Taylor* with a great deal of Impudence took occaſion to ſay that King *Charles* the *1ſt.* was rightly ſerved in having his Head Cut off, further adding it was alſo pitty that his Two Sons *Charles* and *James* had not been ſerv'd ſo too at the ſame time; upon which Mr. *Albery* being provok'd to hear ſuch bold and ſcandalous Reflections on the Royal Family; told him that this was very rude and barbarous Language towards Crown'd Heads: To which *Taylor* anſwered that he never knew any good that any of the *Stewarts* did in their Lives: Which occaſion'd *Albery* to ſay that he never knew any Miſchief or Hirt any of them had done: Yes ſays *Taylor*, King *Charles* the Firſt Murthered the Proteſtants in *Ireland*, and that his Hand and Seal was produc'd againſt him; and further, Baſely and Maliciouſly added that King *Charles* the Second minded nothing but Whores; and as for King *James* (ſays he) he was a Papiſt: In anſwer to which Mr. *Albery* told him tho' he was ſo, Two very good Branches proceeded from him *viz.* Queen *Mary* and Princeſs *Ann*, (which then was) but now is Our moſt Gracious Queen; upon which *Taylor* ſpoke very Factious, Seditious and Scandalous Words againſt Her preſent Majeſty. Whereupon Mr. *Albery* ſuddenly after Inform'd a Gentelman then in the Service of the Princeſs (now Our Queen) of the Particulars aforeſaid, who ſometime after gave notice thereof to the Earl of *Nottingham*, who Ordered the ſaid *Taylor* to be Proſecuted by the Queens Attorny General.

*William*

*William Bibby* deposed, That being the 30th of *January* 1701, at the *Dukes Head* in *Long-Lane*, where he heard Mr. *Albery* and the said Mr. *Taylor* Discoursing about the *Calves-Head Feast*, and that then and there the said *Taylor* in his hearing, said that King *Charles* the First was rightly serv'd, in having his Head Cut off, and that it was pity his two Sons, *Charles* and *James*, had not been serv'd so at the same time; with other Wicked and Scandalous Expressions against our Gracious Queen in particular, and the Royal Family in general.

*Samuel Needham* also Deposed, That being in Company with *William Bibby* at the same time (they being then both Lodgers in the said House) was in a Room near to *Albery* and *Taylor*, when he heard the aforesaid Seditious and Scandalous Words spoken by *Taylor*, agreeing in each particular with the other two Evidences.

To all which, the Prisoner by his Councel pleaded not Guilty; and thereupon used many Arguments to lessen the Reputation of the Queens Evidence, and call'd several Witnesses, pretending to prove that *Albery* was a Rash and Malicious Person; insinuating that it had been his Custom to accuse his Neighbours of being Disaffected to the Government upon the least occasion of Difference, and that he was a Passionate, Rash, and Revengeful Person, &c.

As to *Needham*, 'twas warmly insinuated, he had deny'd he knew or heard of any such Words spoken by *Taylor*, relating to King *Charles* the First; but had nothing to alledge against *Bibby*, only that he had formerly been a Soldier; and called several Persons to the Reputation of the Prisoner: But one of his own Evidence not denying but such Words, as the Queens Evidence had declared (or much like them) were spoken in her House by the said *Taylor*, and some Eminent Persons of Considerable Figure, appearing on the Bench in favour of Mr. *Albery*'s Reputation; whose Evidence they endeavoured to invalidate, the Defendant's Evidence was rendred the more weak and insignificant: However his Councel ceas'd not, but insisted on the space of time from the words spoken, (being *January* 1701.) to the time of Prosecution; intimating thereby, as if it had been the revived Effects of premeditated Malice; in regard no Information had been given of the said Words to a Justice of the Peace, before the present Prosecution: But that matter was clear'd up too by Mr. *Albery*, who made it appear that he gave Information against the Prisoner, in very few Days after the Words were spoken by *Taylor*, to a Gentleman in the Service of the then Princess of *Denmark* (now our Gracious Queen) he being the properest Person he could think of; who having urgent Business in *Yorkshire*, which detain'd him there till the Death of K. *William*; whereupon the change of Offices, which then necessarily ensued, occasion'd the matter to be delay'd till this time: Upon which, after several Curious and Learned Debates, between the Queen's Council and those for the Defendant; the Court was pleased to lay before the Jury the Malice and ill Consequence of the Words, to the bad Example of others, and tending (in a great measure) not only to the Destruction of the very Root and Branch of the Royal Family, but even Monarchy it self: and that what had been alledged against the Queen's Witnesses, amounted to no more than that one was a hasty Man, and the other had disown'd what he had heard spoken; as to the first, it was many an Honest man's failing; and as to the other, there was a great Disproportion between denying of a thing to a private Person by way of Discourse, and making Oath of it in open Court; and as for the other Witnes for the Queen, not one syllable was alledg'd against him to lessen his Evidence; on the other Hand, the substance of the Defendant's Evidence was also plainly & impartially [illegible] up, and the whole Matter refer'd to the result of the Jury; who after having considered each Circumstance, immediately return'd and brought *James Taylor* in Guilty.

'Tis remarkable to observe that the above said Defendant (as by a Copy of the Information more largely appeareth) is a Noted Republican, or Dissenter; and a frequenter of the *Calves Head Clubb*, in opposition and derision of the solemn Humiliation and Fast appointed by Act of Parliament to be observed yearly, on the 30th of *January*; for the unnatural Murther of King *Charles* the First: By which it is but too manifestly demonstrable, that there are still amongst us a Wicked Society of Men; who are so far from lamenting that horrid and execrable Villany and loathsome Tragedy; but as much as in them lies, and as far as they dare, not only seem to approve of, but Triumph and Rejoyce in that very Action, which all good Men and Christians throughout the whole World loath and abominate, it being the wickedest piece of ungrateful Barbarity, as ever any Nation were guilty of.

# GOD save the QUEEN.

*London*: Printed by *Jer. Wilkins* behind the *Green Draggon-Tavern* in *Fleetstreet*.

AN

# ACCOUNT

OF THE

515. L. 2.
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## BEHAVIOUR, CONFESSION, and laſt Dying WORDS,

OF

## *ARUNDEL COKE*, Eſq;

AND

## *JOHN WOODBURNE*, Labourer.

Who were Executed at *Bury St. Edmunds* in the County of *Suffolk*, on *Saturday*, *March* 31, 1722. For the Barbarous Attempt on the Life of *EDWARD CRISPE*, Gent.

Together with the Copy of a LETTER, wrote to the SHERIFF concerning the Execution; as alſo the Copy of a Paper, delivered by Mr. *COKE*, to a Friend, the Night before his Execution.

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*LONDON*:

Printed for *T. Payne*, at the *Crown* in *Pater-Noſter-Row*. (Price Three half-pence.)

AN

# ACCOUNT

OF THE

## BEHAVIOUR, CONFESSION, and laſt Dying WORDS,

OF

## *ARUNDEL COKE*, Eſq;

AND

## *JOHN WOODBURNE*, &c.

MR. *Coke*, the melancholly Subject of this Diſcourſe, no ſooner found himſelf under that Sentence his Crimes had ſo juſtly drawn upon him, but he diligently apply'd himſelf to the obtaining a Pardon; to which End many Perſons were employ'd to ſollicite Mr. *Criſpe* to a Reconciliation, which was thought the firſt Step neceſſary to be taken in the Affair: Mrs. *Coke* had divers Conferences with him to engage him thereunto, and with all the Tears and Entreaties of a Siſter, begg'd her Husband's Life upon the Terms of perpetual Baniſhment to the remoteſt Parts of the Earth, or any other whatſoever that could be thought ſufficient to attone for ſo heinous a Crime, as believing ſomething like this might be obtained, in caſe Mr. *Criſpe* could be brought to join in a Petition to his Majeſty for

AN

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for that Purpoſe: But as Mr. *Criſpe* was on the one Hand preſs'd by the Importunities of the Friends and Relations of the Criminal, ſo on the other Hand was he almoſt worn out by the Gentry, *&c.* of the Country, to contemn and reject their Propoſals; and at length, being reſolved to hear no more Supplications of what Nature ſoever that came from the Goal, Mr. *Coke*, after one or two ineffectual Letters to him, began to turn his Thoughts another Way, and to think of other Methods.

A Gentleman was diſpatch'd to *London* with Bank Bills of 400 *l.* not only to defray his Journey, but to anſwer other Expences incident to his Commiſſion. During the Sollicitations of this Perſon in Town, Mr. *Coke* was viſited by ſeveral Clergymen in the Country, who endeavour'd to bring him to a due Senſe of his ſad Condition; publick Prayers were put up for him in *Bury*, as well as in two or three Churches in *London*; but he continued to entertain ſtrong Hopes of a Reprieve, till his Agent, who depended upon the Intereſt of a certain great Dutcheſs, had wrote him an Account, that his Offence appear'd ſo deteſtable in the Eyes of the People above, that he was altogether unable to prevail for a Reſpite of ten Days only.

He was now altogether confuſed and dejected, but as Death began to make it's nearer Approaches, he began to make due Preparations for his Diſſolution, and having deſired an Interview with his Accomplice *Woodburne*, (who was confined in another Appartment) earneſtly asked his Forgiveneſs, for engaging him in ſo horrid an Enterprize to his utter Deſtruction; but *Woodburne*, even to the Day of the Execution, would not be brought to ſay he forgave him, but ſaid he died in Charity with all the World beſides: The Execution was impatiently expected by all Ranks and Degrees of People. Previous to which Mr. *Coke* wrote the following Letter to the under Sheriff.

*Moſt Worthy Sir,*

THE manner of the Execution of the Sentence of Death paſſed on me, is entirely at your Diſcretion, and having juſt Cauſe to apprehend, that Inſults, peculiar to the rude and barbarous Diſpoſition of the Multitude, may be then offered to me, it is my earneſt and dying Requeſt, that you order the Execution to be done as early on *Saturday* Morning as poſſible, the like Favour having been granted ſome few Years ſince to a foreign Gentleman at *London*; and as this will tend rather to preſerve, than diſturb the Peace of the Country, I have great Reaſon to hope from your Chriſtian Diſpoſition, that this poor Boon will be complied with,

*Your moſt Miſerable*

*and Dejected Servant,*

*Wedneſday Nine at Night.*

A. COKE,

The Sheriff having intimated to Mr. *Coke*, that he deſigned to comply with his Requeſt, and had appointed his Execution alone, by Six in the Morning; On *Friday* he took his leave of his Wife, *&c.* in the moſt ſolemn Manner, and about 7 at Night received the Holy Communion

munion from the Hands of the Reverend Mr. *Burton*, a Neighbouring Clergyman, Expreſſing the greateſt Sorrow for his Offence, which he ſaid, had rendered him the moſt odious and contemptible Creature living. To prevent the Noiſe and Clamour which an extraordinary Concourſe of People might Occaſion, and which Mr. *Coke* apprehended, as appeared by his Letter, it was very induſtriouſly given out, the Execution was to be at the uſual Hour, but to the great diſappointment of the People, in the adjacent Villages, Mr. *Coke* was conveyed from the Goal between 6 and 7 in the Morning to the Place of Execution, in a Mourning Coach, accompanied, by the Reverend Mr. *Burton*, and two of his own Relations, dreſſed in a Mourning Suit, the ſame he wore at his Tryal; he diſcovered very great Sign of Sorow, and Contrition, and entreated the Spectators, which were pretty Numerous, to Pray for his departing Soul; Mr. *Burton* preſſed him very earneſtly to declare, whether he was not concerned in Poiſoning Mr. *Criſpe*'s Children, to which he would not make any direct Anſwer, but only ſaid he was under ſuch diſorder and preſſure of Mind, as he could not Remember any thing of thoſe Matters; he was ſoon after turned off, uſing ſome Pious Ejaculations, the People expreſſing a general Sathſfaction at his Death: His Body was carried away in a Hearſe, which waited at the Tree, and was privately intered the ſame Evening, about four Miles from *Bury*.

*Woodburne*, was very much Regretted, in regard his Ignorance and Poverty, were ſuppoſed to be the means which drew him into his wretched Maſter's Purpoſes, and of which the other no Doubt, took Advantage to engage him: There was generally a large Concourſe of People at the Goal to viſit him, which occaſioned him to drink much; notwithſtanding which, when he found all Hopes of Life vaniſhed, he applyed himſelf very ſeriouſly to fit himſelf for another State, ſeeming to have a juſt Senſe and Sorrow of his Crimes, and ſpent his Nights as well as Days, in Prayers and Tears, earneſtly asking Pardon of God for his wicked Life, publickly confeſſing that he was ever addicted to Pilfering, and other ſcandalous Practices. Mr. *Coke*, who kept himſelf more retired, ſent to deſire to ſpeak with him when he was going to Execution, but he would not ſee him. About one o' Clock the ſame Day he was carried to the Place of Execution with a Felon, where the Reverend Mr. *Dent* attended him, and deſired him to confeſs his Knowledge, if he had any, of poiſoning Mr. *Criſpe*'s two Children: He very frankly acknowledged, that once, by Mr. *Coke*'s Directions, he gave the ſaid Children two Sugar Plumbs, who died ſoon after, but could not take upon him to ſay thoſe Plumbs were poiſonous. He wept bitterly at the Place of Execution, and deſired the Standers by, to take Warning by his ſad Example, and having repeated the Apoſtle's Creed, and Sang ſome Penitential Pſalms, he was turned off with the other Malefactor, the People Crying out, *The Lord have Mercy on their Souls*, his Corpſe was Interred the next Night on the outſide of the Church-Yard Wall.

*A true Copy of a Paper delivered by Mr.* Coke *to a Friend the Night before his Execution.*

I Know, as my unhappy Caſe is become the Subject of all Converſation, eſpecially in this Part of the Kingdom, the World will expect I ſhould ſay ſomething as a Gentleman, as well as a Criminal, tho'

tho' my Birth and Education are too well known to need any Mention, and I once as little thought they would ever have come upon the publick Stage in this Manner.

In the first Place, I heartily beg Pardon of Mr. *Crispe* for the great Injuries I have done, and the far greater I intended to do him: If he had contributed toward saving my Life, he should not have found me unworthy of deserving it; but as my miserable Fate is the Result of Heaven and Earth, I willingly submit thereto.

My Trial was before a Judge the most sage and learned in the Universe, and my Jurors were Men of Honour and Probity, wherefore I have no Reason to fix a Complaint on that Side; but I have been fond enough to believe, that if my Council had been allowed to argue those Points of Law I so much insisted on, I had not been in these Circumstances: And I now must return my Thanks to Mr. *Harvey*, and to Mr. *Price*, who were ready to assist me herein; and I may venture to say, the fatal Step I took in endeavouring to render my self entitled to the Benefit of his Majesty's Pardon, was one of the chief Causes of my Conviction.

As my self, and the unhappy Wretch who suffers with me, are the first who fall by this very penal Act, so I pray God we may be the last.

The Stories spread so industriously of my employing *Woodburne* to poison Mr. *Durrant's* Horse, Mr. *Salisbury's* Swine, &c. are the natural Prejudices the World too readily entertains of People under my unhappy Circumstances; as for any of those Matters, I here declare myself as innocent as it is possible for a Man to be; and if Mr. *Woodburne* is otherwise, it will be his Duty to discover the Truth.

The Confusion I am under obliges me to conclude myself,

*Your unhappy Friend,*

A. C.

*FINIS.*

575 L. 2
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A

# LETTER

FROM THE

## *PRESIDENT* of *CALAIS*

TO

## Two Gentlemen at *LONDON*;

With a Relation of the Confeſſions made by the Murtherers of the *Engliſh* GENTLEMEN.

Together with the Proceedings of Monſ. D'OMBERVAL, Councellor of the King in his Councils, Maſter of Requeſts in Ordinary of his Houſhould, and Lieutenant General of the Police of the City, Proviſtſhip, and Vicourty of *Paris*.

Together with the Judges holding the Preſidial Seat of Juſtice for the Chatlet of *Paris*; with the Sentence of Condemnation given by them againſt *Joſeph Bizeau*, and *Peter le Febvre*, for the Robberies and Aſſaſſinations by them committed near *Calais*, the 21ſt of *September* laſt, on the Perſons of the *Engliſh* Gentlemen and their Servants, *viz.* Meſ. *Lock*, *Seabright*, *Montpeſſon*, *Davis*, *Fitzgerald*, and *Richard Spindelow*: With an Account of ſeveral other Robberies and Murthers committed by them and their Accomplices. Tranſlated from the Original *French*.

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*LONDON*; Printed for EDWARD SYMON, againſt the *Royal Exchange* in *Cornhill*; and Sold by J. ROBERTS in *Warwick-Lane*.

Price Two-Pence.

A

# LETTER

## *From the Preſident of* Calais *to Two Gentlemen in* London, *&c.*

I Have the honour to ſend you herewith the Proceedings of the Court of Judicature of *Paris*, with the Sentence given againſt Two of the Fellows who aſſaſſinated the *Engliſh* Gentlemen between *Calais* and *Boulogne*, the 21*ſt* of *September* laſt. The Diligence that has been made uſe of in the purſuit and diſcovery of them has ſucceeded, neither could they receive a Puniſhment more ſevere than that which has been inflicted upon them.

SINCE the Sentence the two condemned Criminals being put to the Queſtion, confeſs'd not only their Guilt of the Robbery and Murther of the *Engliſh* Gentlemen, but alſo of the Robbery of the Stage Coach belonging to *Liſle*, as well as of the Aſſaſſination of their Landlady and her Nephew at *Bernaville*, the 17th of *September* laſt, being four Days before they robb'd and butcher'd the *Engliſh* Gentlemen: they have likewiſe declared themſelves guilty of ſeveral other Crimes, amongſt which, *Peter le Febvre* confeſs'd that he was concern'd in the Robbery and Murther of the Meſſenger named *Dangers*, committed upon the High Road to *Chartres* the 10th of *April* 1721. and alſo in two Robberies of the Diligence or Stage Coach of *Lyons*, the 28th of *April*, 1721, and the 24th of *November* 1722. Theſe two Villains have diſ-

covered

covered likewiſe ſeveral of their Accomplices, and have given an exact Diſcription of them, which is ſince printed and ſent to all the Officers of the *Marcchauſſees* or Sheriffs Officers of the Kingdom, that they may be diſcovered either in their ſeveral Priſons, where 'tis likely they may be detained, or in any other Part where they may be found.

THESE Two Criminals had their Sentence executed upon them the 14th *N. S.* of this Month. I am perſuaded, Gentlemen, you will be pleaſed to make theſe Proceedings publick, that all *Engliſh* Travellers may be informed what Care is taken for their Safety on the Highways of *France*, by the Rigourus Puniſhment that has been inflicted on thoſe Villains who have infeſted and render'd them perilous. I have the honour to be,

Meſſrs

Your moſt Obedient and moſt humble Servant,

Calais the 18th July 1724.

*Oſſhoſſe*, Preſident of *Calais*.

EXTRACT

# EXTRACT

## *From the Regiſter of the Court of Juſtice, held for the* Chatlet *of* Paris.

AN Accuſation being purſued, at the Inſtance of the King's Procurator General, againſt *Joſeph Bizeau*, who had taken upon himſelf the Name of *Gratien Davanelle*, Jeweller of the City of *Liege*, and *Peter le Febvre* alſo Jeweller, *Elizabeth Gottequin* Wife of the ſaid *le Febvre*, *Mary Merance* Wife of *Francis Nicholas Joſette*, a ſeller of India Goods, *John Baptiſt Bizeau* Toyman, *Adrian Beauſſe* Vinter, *Catherine Moffet* Wife of the ſaid *Adrian Beauſſe*, and *Mary Beauſſe* their Daughter, *Anne Turry*, Wife of *Francis Puget*, alias *Farcinet*, *Mary Catherine Francois* alias *Catherine Cantas*, and *Mary Frances Beauſſe* Widow of *Francis Caron* Vinter at *Beauval*, Defendents and Accuſed.

THE Court declared that the aforeſaid *Joſeph Bizeau* alias *Gratien Devanelle*, and *Peter le Febvre*, were duly attainted, and convicted of the Robberies and Aſſaſſinations, committed upon the Perſons of the Engliſh Gentlemen, and their Servants, named *Lock*, *Seabright*, *Montpeſſon*, *Davis*, *Fitzgerald*, and *Richard Spindelow*, and alſo one named *Allet*, and *Lewis Poilet*, upon the high Road to *Boulogne*, between *Brighen* and St. *Ingleverd*, the 21ſt of *September* laſt; And alſo of the Robbery of the Stage Coach belonging to *Liſle*, with armed Force upon the high Road, near the Village of *Mazincourt*, two Leagues and a half from *Peronne* the 19th of *November* laſt; and of the Aſſaſſination committed at the ſame time, upon the Perſons of *John Pouillard*, and *Lawrence Hennelet*, who accompanied the ſaid Coach. In Attonement therefore for the Crimes mentioned as aforeſaid, and in regard to Juſtice, the ſaid *Joſeph Bizeau* alias *Gratien Devanelle*, and *Peter le Febvre*, are Condemned to have their *Arms*, *Legs*, *Thighs*, &c. broken upon a Scaffold, which ſhall be erected for that purpoſe, at the common place of Execution in the City of *Paris*: After which ſaid Execution their Bodies ſhall be put upon Wheels, with their Faces towards the Sky, there to remain for ſo much time, and as long as it ſhall pleaſe God to continue them alive. The Goods acquired by them are confiſcated to the King, or to whom they ſhall be found to apper-

tain, ſave 1000 Livres which ſhall be taken out of what belongs to each of them, to cauſe Prayers to be offer'd up to implore God for the Repoſe of the Souls of the ſeveral Perſons aforementioned whom they have aſſaſſinated, and the ſame Sum of 1000 Livres out of each of their Effects as Fines to the King, in Caſe the Profit ariſing by Confiſcation do not accrue to His Majeſty. And further, that before Execution the ſaid *Joſeph Bizeau* alias *Gratien Devanelle*, and *Peter le Febvre* ſhall be put to the Queſtion ordinary and extraordinary, to the end that the Truth of the Facts reſulting from their Tryal, as well as the Names of their Accomplices may be known from their own Mouths. The dead Bodies, *viz.* that of *Joſeph Bizeau* alias *Gratien Devanelle* to be carried and remain expoſed on a Wheel, upon the High Road to *Calais*, and that of *Peter le Febvre* to be expoſed after the ſame manner upon the High Road to *Peronne*.

THE Court was further pleaſed to order that Sentence againſt *John Baptiſt Bizeau*, *Elizabeth Gottequin*, *Mary Merance*, *Adrian Beauſſe*, *Catherine Moffet*, *Mary Beauſſe*, *Anne Turry*, *Mary Cath. Francois* alias *Cath. Cantas*, and *Mary Jean Beauſſe*, ſhould be ſuſſpended till after the Execution of the preſent Sentence; and the Court further directed that the Warrant iſſued out for the taking *John Baptiſt le Febvre*, *Lamant*, *Dupuis*, *Joſette*, *Lewis le Febvre*, and three Women, who paſſed for the Wives of the ſaid *Lamant*, *John Baptiſt le Febvre*, and *Lewis le Febvre*, ſhould be put in Execution, according to the Indications the Court hath received; and that an Accuſation be drawn up againſt them, that they may be proceeded againſt, according to the utmoſt Rigour of the Law. Given *Thurſday* the 13*th* of *July* N.S. 1724

*Signed* Caillet Greffier *of the Court.*

THE Sentence of the Court was accordingly executed, the 14*th* *July* N.S. upon the aforeſaid *Joſeph Bizeau* alias *Gratien Devanelle*, and *Peter le Febvre*, as well in Juſtice to the Engliſh Nation, for the inhuman Murther of the Gentlemen above-mentioned, as for the other Aſſaſſinations and Crimes they were found guilty of, as appears from the foregoing Proceedings.

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TO THE

# Impartial READER.

WHEREAS a moſt falſe and ſcandalous Report has been ſpread in and about the City of *London* and Suburbs thereof, and other Places adjacent, That *Edward Walker*, living at the Sign of the *Queen's Head* and *Crown*, the Bottom of *Holborn-Hill*, *London*, Linnen-Draper, or his Servants, did, on *Saturday* the 27th of *May*, 1727. in his Shop belonging to his Dwelling-houſe aforeſaid, privately convey a Piece of Silk Handkerchiefs, containing the Quantity of two Handkerchiefs, into the Gown of *Frances* the reputed Wife of *John Stone*, Apothecary in *Bowſtreet*, *Covent-Garden*, pinned up round the Waſte of the Body of the ſaid *Frances*, with an Intent to extort Money from the ſaid *Frances*, under the pretence of a felonious taking of the ſaid Goods, (the ſaid *Frances* then coming into the ſaid Shop as a Cuſtomer for buying of Goods;) which ſaid Report (tho' abſolutely falſe) has proved very detrimental to the Trade and Reputation of the ſaid *Walker*: That the ſaid *Walker*, in order to juſtify himſelf and Servants, and to clear his and their Innocency from the ſaid ſcandalous Report, thinks himſelf obliged to publiſh the whole Truth of the Fact, by inſerting the following Affidavits, ſworn before the Right Honourable the Lord Chief Juſtice *Raymond*; and for a Diſcovery of the Author of the ſaid Report, the ſaid *Walker* doth hereby promiſe a Reward of Ten Guineas to any Perſon, who ſhall diſcover to him the Author of the ſaid Report, payable by the ſaid *Walker* to ſuch Diſcoverer, upon the Conviction of the ſaid Author.

EDW. WALKER.

*EDward Walker*, at the *Queen's Head* and *Crown*, the Bottom of *Holborn-Hill*, *London*, Linnen-Draper, maketh Oath, That he this Deponent went from his Dwelling-houſe, ſituate as aforeſaid, on *Saturday* Morning the 27th Day of *May*, 1727. for *Watford* in the County of *Hertford*; where this Deponent lay that Night, and did not return to *London* until the *Monday* following. That this Deponent did not hear, or was any ways informed of a Felony charged on *Frances* the reputed Wife of *John Stone*, Apothecary in *Bowſtreet*, *Covent-Garden*, until the *Monday* following, when this Depo-

Deponent came home to his aforeſaid Dwelling; where this Deponent was informed of a Felony, which had been committed by the ſaid *Frances* in this Deponent's Shop, by her privately taking a Piece containing two Handkerchiefs. That after ſuch Felony committed, the ſaid *John Stone* applied himſelf ſeveral times unto this Deponent, as likewiſe ſome other Perſon, (who was and is unknown to this Deponent;) but this Deponent was then given to underſtand by the ſaid Perſon, that he was a Friend of the ſaid *Stone*, and appeared in his Behalf to make up the ſaid Felony with this Deponent, and not proſecute the ſaid *Frances* for the ſame: But this Deponent was utterly averſe to the ſame, and rejected all Propoſals of Agreement or Compoſition of the ſaid Felony; and told both the ſaid *Stone*, and the ſaid other Perſon his ſaid Friend, that he this Deponent never did, nor ever would compound Felony with any Perſon on any Terms whatſoever, or Words to that Effect. And farther upon his Oath ſaith, That *Daniel Bridges*, this Deponent's Apprentice, hath lived with this Deponent as his Apprentice almoſt two Years, and he doth verily believe him to be a very honeſt Servant, and that he would not privately convey any of his Shop Goods into any Perſon's Cloaths for any Purpoſes whatſoever, as hath been moſt falſely and maliciouſly reported; but doth verily believe the ſaid Piece of Handkerchief was privately taken by the ſaid *Frances Stone* her ſelf.

*Jurat. apud Serjeants-Inn, Chancery-Lane, 28°. Die Auguſti, coram me*
Signed, R. RAYMOND.

Signed,
EDW. WALKER.

DAniel *Bridges* and *Henry Grew*, Apprentices to *Edward Walker* at the *Queen's-Head* and *Crown*, the Bottom of *Holborn-Hill*, *London*, Linnen-Draper; *Edward Green*, the ſaid *Walker*'s Journeyman; and *Elizabeth Walker*, Mother to the ſaid *Edward Walker*, do jointly and ſeverally make Oath. And firſt, the ſaid *Daniel Bridges* ſays, That on *Saturday* the 27th Day of *May*, 1727. *Frances Stone*, the reputed Wife of *John Stone*, Apothecary in *Bowſtreet*, *Covent-Garden*, came into the Shop of this Deponent's ſaid Maſter, ſituate as aforeſaid, and applied herſelf unto this Deponent, (who was then behind the Compter of the ſaid Shop) to match the ſaid *Frances* a Piece of Printed Linnen, as ſaid *Frances* then deſcribed unto this Deponent; and ask'd this Deponent at the ſame time, Whether this Deponent had got any *South-Sea* Handkerchiefs? And this Deponent thereupon ſhewed unto the ſaid *Frances* ſeveral Pieces of Handkerchiefs, which the ſaid *Frances* look'd upon, and ask'd this Deponent the Prices or Values of them, which this Deponent told her; but the ſaid *Frances* bought no Handkerchiefs, or other Goods, of this Deponent, or his ſaid Maſter that Day. That as this Deponent was folding up, and putting the ſaid Handkerchiefs in their proper

proper Places, this Deponent on the aforeſaid Day and Year did ſee the ſaid *Frances* take to herſelf from off the Compter of the ſaid Shop, privately and ſecretly, and in a clandeſtine manner, one Piece of the ſaid Handkerchiefs before ſhewed her by this Deponent, containing in Quantity two Handkerchiefs, the proper Goods of the ſaid *Edward Walker*, and conveyed the ſame into her Gown, which was then pinned up round the ſaid *Frances* Waſte. And this Deponent poſitively denies, that he this Deponent, or other Perſon to his Knowledge or Belief, did ever put, or attempt to put, or in any manner privately convey any Handkerchiefs, or other Goods, into the Gown or Coat of the ſaid *Frances*, or into any Part of the Cloaths of or belonging to the ſaid *Frances*, as hath been moſt falſly and maliciouſly reported. That this Deponent being ſurprized at the ſaid *Frances* taking the ſaid Handkerchiefs, this Deponent did not immediately charge her with the ſame, but permitted the ſaid *Frances* to go juſt out of the Door of the ſaid Shop; but perceiving and verily believing the ſaid *Frances* did intend to go clear off with the ſaid Handkerchiefs, this Deponent did then and there charge her with the felonious taking of the ſaid Handkerchiefs; and on this Deponent's ſearching of her, this Deponent found the ſaid Handkerchiefs upon her in her Gown pinned up round her ſaid Waſte; from which Place this Deponent took them, and laid them down upon the open Compter of the ſaid Shop. And the ſaid *Henry Grew* and *Edward Green* jointly make Oath, and ſay, That they, theſe Deponents, on *Saturday* the 27th Day of *May*, 1727. aforeſaid, were preſent in the Shop aforeſaid of their ſaid Maſter at the Time of the Felony committed by the aforeſaid *Frances*, and of her being charged with the aforeſaid Felony for the taking of the ſaid Handkerchiefs by the aforeſaid *Daniel Bridges*, and his ſearching of the ſaid *Frances* for the ſaid Goods, which the ſaid *Daniel Bridges* found upon her, and took the ſaid Handkerchiefs out of the Gown of the ſaid *Frances* then pinned up round her Waſte, in the Preſence of theſe Deponents. And theſe Deponents verily believe, that the ſaid *Frances* did take the ſaid Handkerchiefs privately and felonioufly, and convey them herſelf into her Gown aforeſaid, with an Intent to carry off the ſaid Handkerchiefs to defraud theſe Deponents ſaid Maſter of the ſame. And theſe Deponents, *Daniel Bridges*, *Henry Grew*, *Edward Green*, and *Elizabeth Walker*, do upon their ſeveral Oaths ſay, That after the aforeſaid Felony committed, and the ſaid Goods found and taken upon her, and from her, ſhe the ſaid *Frances* had nothing to ſay for herſelf in Juſtification of the ſaid Felony, but often requeſted to be diſcharged, ſaying, You have your Goods again; crying out, For God's ſake not to expoſe her, ſhe never did the like in all her Life, or Words to that Effect. And theſe Deponents do all further upon their ſeveral Oaths ſay, That the aforeſaid *Edward Walker* was not at home at the time of the ſaid Felony committed, but on his Journey to *Watford* in the County of *Hertford*, as theſe Deponents were informed and believe, and that he did not return to his Habitation aforeſaid, until *Monday* the 29th Day of *May*, 1727. before which Day theſe Deponents verily believe the ſaid *Walker* never heard of, or was acquainted with the ſaid Felony,

Felony, or knew one Tittle thereof. And theſe Deponents, *Henry Grew*, *Edward Green*, and *Elizabeth Walker*, upon their joint and ſeveral Oaths, do ſay, That the ſaid *Daniel Bridges* hath lived with the ſaid *Edward Walker* as his Apprentice almoſt two Years, and they do verily believe him to be a very honeſt Servant to his ſaid Maſter, and that he would not privately convey any of his ſaid Maſter's Shop Goods into any Perſon's Cloaths for any Purpoſes whatſoever, as hath been moſt falſly and maliciouſly reported; but do verily believe the ſaid Piece of Handkerchiefs were privately taken by the ſaid *Frances Stone*, as is herein before ſet forth.

*Jurat' apud Serjeants-Inn in Chancery-Lane*, 28°. *Aug.* 1727. *coram me* Signed, R. RAYMOND.

Signed { *Daniel Bridges.* *Henry Grew.* *Edward Green.* *Elizabeth Walker.*

The CASE of Mr. *Edward Walker.*

An Exact and True

# LIST

of the Names of all the Persons that was condemn'd to be Hang'd, Trasported, Burnt in the Hand, Whipt Pillor'd and Imprisoned, during the whole Eight Sessions, Held at the Old-Bailey in the Mayoralty of the Right Honourable *Humphrey Parsons* 'Esquire, The first beginning *Friday* the 4th, of *December*, 1730, And the last Ending *Friday* the 15th, of *October*, 1731.

515. L2. K Middlesex. Sessions. Old-Bailey. 235 London.

*Receiv'd Sentence of Death the first Sessions 17. viz.*
John Barnet.
William Brabant.
Constance Bickle.
Joshua Cornwell.
James Hall.
William Holland.
William Mansel.
John Mines, *alias* Minsham *alias* Mitchel.
Peter Norman.
Charles Ree, *alias* Ray.
Francis Saunders.
John Smith.
Richard Smith.
Mary Smith.
Robert Tyler.
Abraham White.
William Whitford.

*Sentenced to be Transported 47. viz.*
John Barber, *alias* Baker.
Joseph Bigrave.
Magdalen Bicknell, *alias* Poor.
John Butcher.
John Cheshire.
Jane Conner.
Martha Cook.
Christopher Cormick.
Mary Cupple[illegible]th.
[illegible]illiam Davis.
Honour Davis.
John Daran.
Alice Evans.
Richard Feuterel.
John Gale.
Stephen Gay.
Thomas Gladmore, *alias* John Lanham.
Matthew Godwin.
Christoper Husband.
William Isaacson.
Mary Johnson.
Mary Kilpatrick.
John Knight.
Elizabeth Lambert.
Margaret Lewis.
Francis Lewis.
Mary Macartney.
Haiah Marshal.
Edward Mecchum.
John Matthews.
Arthur Moore.
Mary Parsons.
John Parsons.
James Peck.
Phillip Price.
Anne Rowe.
Jane Taylor.
Elizabeth Westmore, *alias* Osbourne.
Anne Harris.
Mary Hawkins.
John Hillary.
Sarah Hilliard.
Thomas Hudson.
William White.
Thomas Wilson.
Daniel Wood.
John Wyat.

*Sentenced to be Burnt in the Hand 3. viz.*
Thomas Cook.
Robert Gibson.
Elizabeth Tugg, *alias* Stubs.
[illegible] Chandler.

*Sentenced to stand on the Pillory, 4 viz.*
William Hollywell.
William Huggins.
John Lewis.
John Jones.
John Dunton *Sentenced to suffer one Month's Imprisonment.*

*Receiv'd Sentence of Death the Second Sessions 2.*
William Maynee.
Alexander Russel.

*Sentenc'd to be Transported 39.*
Mary Appleton.
John Banks.
Henry Beby.
Robert Bowden.
Richard Brand.
Thomas Brockett.
John Brooks.
John Carrol.
Sarah Cross.
Elizabeth Flemming.
Thomas French.
Samuel Guthorn.
Edward Goodwin, *sen.*
Hannah Gosseloe,
Barbara Gunning
Thomas Hall.
Mary Hawes.
William Highton.
Elizabeth Howel.
John Kent.
Anne Knowland;
William Lancaster.
Edward Lee.
Mary Mellshaw.
John Nodder.
Margaret O'Neal.
Margaret Okey, *alias* Williams.
Sarah Page.
Nathaniel Pippin.
Richard Porter, *alias* Smith.
William Smith.
Simon Spencer.
Katharine Strange.
Sarah Tilburyl
Edward Welsh.
William Winn.
William Winnard.
Thomas Wright.
and Thomas Young.

*Sentenc'd to be Burnt in the Hand 1. viz.*
Stephen Gay.

*Sentenc'd to be Whipt'd 7. viz.*
Sarah Bell.
Thomas Compton.
Elizabeth Earl.
Eleanor Garnet.
Anne Neal.
John Taylor.
and Anne Wilson.

*Receiv'd Sentence of Death the Third Sessions 4 viz.*
Thomas Andrews, *alias* Anderson.
John Champl.
William Williams.
and George Wyche

*Sentenc'd to be Transported 30. viz.*
John Allwright.
George Bell.
B——— C———
Sarah Birchenough.
Thomas Bolton, *alias* Wilmot.
Jane Carney.
Alice Day.
Elizabeth Deacon.
Susannah Diamond.
Charles Eaton.
John Ellis.
Joseph Fieldhouse.
Charles Gilbert.
Joseph Hall
Mary Heskew *alias* Aflew, *alias* King.
John Hilton.
William Marshal.
Thomas Nevil.
Andrew Noland.
Barnaby Perry.
Thomas Purtel.
William Rylind.
Thomas Snipy.
Malachy Southy.
Anne Thompson.
Mary Watson.
Edward Wheeler.
John Whiton.
Thomas Wilmer.
and Mary Woodhouse.

*Sentenc'd to be Burnt in the Hand 3 viz.*
H——— S———
Elizabeth Wynch, *alias* Eliy
and Henry Bibb.

*Sentenc'd to be Whip'd 1. viz.*
Jane Carney.

*Receiv'd Sentence of Death the Fourth Sessions 9. viz.*
John Butler.
B—— J——.
Richard Cooper.
Francis Lynn.
Ambrose Newport.
James Owen.
John Peavely.
Richard Trap.
and Francis Woodmash.

*Sentenced to be Transported 44. viz.*
William Bellamy.
John Cane, *alias* Dickson.
Catharine Chapman.
James Cornwell.
John Dancer.
Robert Davis.
William Day.
Ann Ames.
Sarah Bye.
Nicholas Feagen.
Thomas Fielding.
Elizabeth Gold
Thomas Griffin.
Mary Griffin.
Elizabeth Sollis.
Mary Johnson.
George Johnson.
Roland Jones.
John Jones.
Elizabeth Potter.
Joseph Powis.
Ann Savage.
William Serjeant.
Robert Sharp.
Valentia Seaver.
Mary Smith.
William Simpson.
Thomas Strongarm.
William Sweetman.
Henry Tarrant.
Isabella Walpole, *alias* Crick.
Esther Watson.
Ann Wells.
Richard Wood.
and Richard Wollis.

*Sentenc'd to be Whip'd 4. viz.*
Sarah Jones.
Mary Loveday.
Sarah Matts, *alias* Williams
and Isaac Todd.

Sarah Hewlet *fin'd* 10 *Marks and to suffer two Years Imprisonment.*
Elizabeth Coventry *fin'd* 2 *Marks and to suffer six Months Imprisonment.*

*Receiv'd Sentence of Death the Fifth Sessions 6. viz.*
William Burroughs.
Robert Cooper.
Elizabeth Corner.
Samuel Curtis.
Thomas Martin, and
Chales Ogilby.

*Sentenc'd to be Transported 21. viz.*
Anne Allen.
Thomas Been.
John Bentley.
B—— T——.
Elizabeth Carew.
John Clitherow.
Christopher Davis.
Joseph Goodson.
Jane Jacks.
Thomas Jones.
John Lancaster.
James Macdonald.
Mary Redmayne.
Penelope Ross.
Jonathan Sherwood.
Ann Smart.
William Twist.
Richard Warren.
William Wyat
Elizabeth Woodward, *alias* Franklin.
and Peter Hart.

*Sentenc'd to be Burnt in the Hand 3. viz.*
Mary Grey, *alias* Denelson
Abraham Robinson.
and Richard Wells.

*Sentenc'd to be Whip'd 2. viz.*
Jane Bristol.
and John Smith.

*Receiv'd Sentence of Death the Sixth Sessions 8. viz.*
John Armstrong.
Thomas Clarkson.
John Davis.
John Dalnkwater.
Bernard Fink.
Thomas Granger, *alias* William Corfield.
Nanamie Lamprey.
and William Yates, *alias* Warrington.

*Sentenc'd to be Transported 32. viz.*
John Aldridge.
Elizabeth Armitrong, *alias* Little Bess.
Richard Bencer.
Martha Brannan.
John Brown.
Hugh Cambell.
Elizabeth Campbell, *alias* Cambell.
William Carnegy,
John Coghill.
Henry Cole.
Mary Cullin.
Catharine Cox.
John Cross.
Eleanor Davis.
George Emly.
James Emly.
John Haynes.
James Hobbs.
Thomas Jones.
Antonio Key.
Thomas Macculler.
Martin Nanny.
John Payne.
Thomas Petit.
Luke Powel.
Daniel Ray.
Elizabeth Roberts.
John Rogers.
Mary Row, *alias* Cane, *alias* Dixon.
Thomas Taylor.
Anne Todd.
and Jane Vaughan.

*Sentenc'd to be Burnt in the Hand 3. viz.*
John Piggot.
William Newbury.
and Elizabeth Porter.

*Receiv'd Sentence of Death the Seventh Sessions 3. viz.*
Richard Davis.
Robert Irwin.
and William Tracey.

*Sentenc'd to be Transported 37. viz.*
John Anderson.
Mary Atkins.
Mary Baker
Francis Beaton.
William-Edmund Booth.
Thomas Bradbourn.
Eunice Broughton.
Eleanor Bryan.
Leonard Burton.
Eleanor Cade.
John Crochet.
Elizabeth Cole.
James Doodle.
Mary Downing.
Edward Farrel.
Robert George.
Thomas Grigg.
George Hasstead.
Mary Hudson.
Thomas Little.
Edward Martin.
Cornelius Mates.
Robert Mac Donald.
Dominique Pilla.
Richard Quaile.
Hannah Reynolds.
William Roberts.
John Roberts.
John Ryan.
Alice Shaw.
William Tickner.
Anne Varaham.
Eleanor Ventland, *alias* Vickland.
Eustace Watkins.
Thomas Watson.
and Elizabeth Waybank.

*Sentenc'd to be Burnt in the Hand 9. viz.*
George Brewer.
James Chambers.
Elizabeth Carew.
Jane Hall.
Thomas Mac-Culler.
Anne Noland.
— Vaughan.
Isabella Walpool.
and Joseph Blackmore.

*Sentenc'd to be Whip'd 2. viz*
Sarah Car, & John Batson.
Richard Burton *Find* 50 l. *to suffer 3 Years Imprisonment, and to find Security for his good Behaviour for 3 Years after.*

*Receiv'd Sentence of Death the last Sessions 2. viz.*
John Turner.
and Anne Farmer, *alias* Jenks.

*Sentenc'd to be Trasported 31. viz.*
Mary Abram.
John Beaton.
Christopher Bremer.
Eleanor Brown.
George Butterfield.
C—— K——.
Joseph Cornelius.
Anne Dagge.
Henry Diploe.
Francis Dorigni.
Esther Elwood.
John Everet.
John Griffin.
Charles Hutchinson.
Margaret Kelly.
Anne Macklen.
Anne Maiden.
Charles Miles.
James Priestman.
Francis Richmond.
Mary Sheen.
Elizabeth Shepherd.
Mary Salisbury.
Robert Smith.
Margaret Thomas.
George Thomas.
John Webb.
John Williams.
William Williams.
Richard Young.
and Timothy Yong.

*Sentenc'd to be Burnt in the 6. viz.*
Eleanor Cade.
Catherine Chapman.
George Halstead.
John Lancaster.
Joseph Powis.
and Sarah Sherard.

*Sentenc'd to be whip'd 1. viz.*
Catherine Cox.

Total condemn'd, 51.
Total Trasported, 281.
Total Burnt in Hand, 28.
Total Whipt, 28.
Total Pillored, 4.
Total Imprison'd, 4.

LONDON: Printed for Philoregis in Fleet-street.

# *Spittlefields* and *Shorditch* in an Uproar

K Spitalfields

OR, THE

# Devil to pay with the Engliſh and Iriſh.

515. L. 2
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## Being a Full and Particular

# ACCOUNT

## Of the ſharp and bloody Battles that was fought between the *Engliſh* and Iriſh in Spittlefields and Shoreditch, on Monday and Tueſday Nights laſt. With an exact Liſt of the Names of the Perſons kill'd and wounded on both Sides.

IT is ſhocking to behold the Cruelty and Impudence of ſome People, who, even in a ſtrange Country, by the Natives thereof they get their *Living*; yet theſe ungrateful Wretches are ever belching out their moſt dreadful Oaths, Curſes, and Imprecations againſt thoſe very People by whom they have Subſiſtance. The Truth of what is here ſaid will plainly and evidently appear, by a genuine Relation of the Fights which have happened between the Engliſh and Iriſh in Shoreditch and Spittlefields, which will ſet forth in a true Light the Inſolence of the Iriſh, who were Aggreſſors in this hitherto unheard off Action. It is hoped that proper Means will be taken by the Majeſtrates, to quel thoſe audacious Rioters, and to put a Stop to their wicked, cruel, and inhuman Purpoſes.

IT will be neceſſary before I begin the Relation of the Battle itſelf, to acquaint the Reader with the Occaſion of it, the Beginning of which was as follows, *viz.* The Church at Shoreditch being pulling down, ſeveral Perſons were employed as Labourers, to aſſiſt the Bricklayers in taking away their Rubbiſh, among which were ſome Iriſh Weavers, who offered to work at half the Price of the Engliſh, this bred the firſt Diſguſt; the Iriſh went at Dinner-time to one Goulding's, an Iriſh Cook's in Shoreditch, where they told their Story, at which the Woman of the Houſe wrapt out a great Oath, and ſaid, That ſhe ſhould mind it no more to cut up an Engliſh Man's Heart, than to cut up the Buttock of Beef that was before her; ſhe likewiſe encouraged them to proceed in the Quarrel, and her Husband told them, he would give them ten Guineas for a Pint of an Engliſh Man's Blood. Accordingly on Monday the 26th of this Inſtant about 9 or 10 at Night, a ſharp and bloody Battle enſued, in which ſeveral were moſt cruelly wounded on both Sides, but none were quite killed this Time. The next Day one Francis Martin, going through Shoreditch, was met by 8 or 10 Iriſhmen, who asked him what Countryman he was, he ſaid an Engliſhmen; upon which they drew out Knives, and ſtabb'd him dangerouſly in three Places.

On Tueſday the 27th of this Inſtant, about the ſame Time, another Battle was fought, far more ſharp and dreadful than the other, both Parties being enraged to the higheſt Degree, and it would certainly have been by far more fatal, had not the Train'd Bands of the Tower Hamlets, Conſtables, Watch, *&c.* put an End to this bloody Engagement, in which, beſides the Numbers wounded, one Thomas Larkin, a Boy, was ſhot dead on the Spot. The Engliſh have torn Goulding's Houſe almoſt to Pieces, and he is gone away, as they likewiſe to the Houſes of ſeveral others.

The following is an Account of the Names of thoſe whoſe Wounds are the moſt deſperate on both Sides, *viz.* Of the Engliſh, Thomas Williams, James Turner, James Phillips, John Grey, William Carey, John Smith, Henry Stephens, were dangerouſly wounded, and Thomas Larkin, a Boy, killed ——Of the Iriſh, Brian O Neal, Patrick Maccough, Oliver Obrian, Patrick Butler, Preſlick Oconner, Chriſtopher Macnomarrow, Patrick Macculliſter, Brian Nealſon, Stephen Griffith, and Matthew Thomas, all theſe were dangerouſly wounded.

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225. l. 2.
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# A ſhort View of the remarkable Difference in the State of the Defence made uſe of at the Coroner's Inqueſt, from that which was afterward brought and made uſe of at the Old Bailey, in Relation to the ſuppoſed Murder of Miſs BELL at Haddock's Bagnio.

THE point endeavoured to be proved at the Coroner's Inqueſt was, that Miſs Bell did not die of her wounds, but of a violent fever. To prove which point, Dr. Smith the phyſician, Mr. Bliſs the apothecary, and Mr. Chapman the ſurgeon, who attended her, reſpectively give their evidence; wherein they all ſeem to allow the reality of the wounds: nor does it appear from that evidence that either Dr. Smith, or Mr. Bliſs, or Mr. Chapman, had the leaſt doubt or ſuſpicion of their reality; but they were unanimouſly of opinion that theſe wounds, although followed by a *gangrene* and a mortification, were not the cauſe of her death; upon which the Jury found, that ſhe died of a fever occaſioned by hard drinking. At this Inqueſt the Coroner diſappointed both the Jury and the witneſſes, by not meeting them according to his firſt ſummons, which he excuſes by ſaying he did not know the day of the month: a circumſtance which probably never happened to any Coroner before ſince William the Conqueror's time. And at this Inqueſt Mr. Holland, although preſent upon the ſpot, and earneſtly deſiring it, was not admitted to give his evidence; and Miſs Knight, at whoſe father's houſe Miſs Bell lodged and died, at Marybone, although ſummoned to give her evidence before the Coroner, was never called in for that purpoſe: by which

means the teſtimony of the two moſt material witneſſes to Miſs Bell's repeated declarations upon her death-bed was wholly ſuppreſſed, or, at leaſt, was never laid before that Jury.

At the Old Bailey, the ſtate of the defence was, doubtleſs, for good reaſons, intirely changed, and four points or facts were endeavoured to be proved; the firſt of which was a moſt aſtoniſhing one, *viz.* that Miſs Bell did not receive any wounds at all. Dr. Smith is here very clearly of opinion, that the two ſuppoſed wounds were not really ſuch, but only erruptions or ſores, and makes a kind of apology for calling them wounds. Mr. Bliſs is now likewiſe of opinion, that neither of them were wounds; and even aſſerts, that only one of them ever had the appearance of a wound. Mr. Chapman was not called upon to give his evidence at the Old Bailey; although a ſurgeon who had examined and dreſſed the ſuppoſed wounds, was ſurely a much better judge of the reality or non-reality of thoſe wounds, than two Gentlemen from an hoſpital, who had never ſeen the deceaſed's body living or dead.

The three other facts endeavoured to be proved at the Old Bailey were, that Miſs Bell was not wounded at Haddock's bagnio and that ſhe was in perfect health after the fatal night of her being there, (which however does not tally well with her being ſuppoſed, as in the trial ſhe ſometimes ſeems to be, to have got her death at that very time, by pouring down Ratafia like ſmall-beer;) and that ſhe was in ſuch good health as to be at Bartholomew-fair on the fifth or ſixth of September.

N. B. The twenty-ninth of Auguſt was the night, or rather the laſt night, of the grand debauch at Haddock's.

Theſe three facts are ſupported by the ſeveral teſtimonies of Alexander Sexton, Daniel Haviland, Elizabeth Jones, and Mary Aſhmead, all ſervants at that Bagnio, whoſe whole evidence is quite natural and in character, extremely well put together, moſt ſatisfactory and convincing. There is one part, however, of Mary Aſhmead's evidence which I do not underſtand, *viz.* that women are never let into Haddock's bagnio. The ſingle circumſtance, indeed, of the four laſt mentioned witneſſes, being all ſervants at that Bagnio will, if duly attended to and conſidered, very naturally account for Miſs Bell's cries not being heard at the time of her receiving the wounds, in caſe ſhe did receive them, and for no marks of that blood being found which muſt have been ſuppoſed to iſſue from two ſuch wounds, if they had been actually given. He or ſhe would make a very improper ſervant for one of theſe infernal houſes, who could not ſay, with Mr. Speaker Lenthall, "I have "neither eyes to ſee, nor ears to hear, nor a tongue to ſpeak, but as this "houſe is pleaſed to direct me;" and the preſumption is very ſtrong againſt the probability of an unfortunate girl's meeting with the leaſt aſſiſtance, either within doors or without, from the inhabitants of ſuch a houſe, when her receiving this aſſiſtance will obſtruct the pleaſures, or may endanger the lives or fortunes, or both, of any perſons who have been, and who may be, likely to continue to be very valuable cuſtomers to that houſe.

Mrs. Parker, at whoſe houſe Miſs Bell lodged before ſhe was removed to Marybone, and who is ſaid to have accompanied her to Bartholomew-fair, was not called upon to give her teſtimony to the truth of this fact; at leaſt it does not appear that ſhe was ſo called upon.

The above cited extracts from the evidence given at the Coroner's Inqueſt are taken from the pamphlet ſaid to be wrote by one of that Jury; the truth of which pamphlet, ſo far as relates to that evidence, has never been publickly contradicted.

One

One probable reaſon for the total change in the ſtate of the defence at the Old Bailey from what it was at the Coroner's Inqueſt, very readily occurs; it might not have been thought ſo eaſy to convince a court of juſtice, as it was to convince the Coroner and his Jury, that wounds followed by a *gangrene* and a mortification were not, and even could not, be the cauſe of the poor creature's death, who was ſuppoſed to have received them.

I fix the concluſive night of the debauch at Haddock's to the evening of Friday the twenty-ninth of Auguſt, becauſe that date is conformable to the evidence of Elizabeth Honeyball, whoſe teſtimony ſeems much more credible than the wicked Journal, or Day-Book, of an avowed * infamous Brothel, which may at any time be ſo eaſily adapted to ſerve the preſent purpoſe, be that purpoſe what it will.

God forbid that vice ſhould ever riſe to ſo audacious a height in this kingdom, that an honeſt mind may not with ſafety and freedom expreſs, in the ſtrongeſt terms, its contempt, deteſtation, and abhorrence of ſuch houſes and their horrid inmates.

* *Avowed Brothel*——Vide Trial at the Old Bailey.

515. L. 2
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# THE TRYAL OF Spencer Cowper, Esq;

*John Marson*, *Ellis Stevens*, and *William Rogers*, Gent.

Upon an Indictment for the Murther of

Mrs *SARAH STOUT*, a Quaker.

Before Mr Baron *Hatsell*, at *Hertford* Assizes, *July* 18. 1699.

Of which they were Acquitted.

With the Opinions of the Eminent Physicians and Chyrurgeons on both sides, concerning Drowned Bodies, delivered in the Tryal.

AND

The several Letters produced in Court.

*LONDON*,

Printed for *Isaac Cleave* in *Chancery-lane*, *Matt. Wotton* in *Fleet-street*, and *John Bullord*. 1699.

I Do appoint *Iſaac Cleave*, *Matthew Wotton*, and *John Bullord*, to Print the Tryal of *Spencer Cowper*, *John Marſon*, *Ellis Stevens*, and *William Rogers*: And that no other perſon preſume to Print the ſame.

Hen. Hatſell.

# The Tryal of *Spencer Cowper*, Esq; *&c.*

## *Die Mercurii* 16 *Julii*, 1699.

Proclamation was made for all persons concerned to attend

*Cl. of Arr.* YOu good men that are empanell'd to enquire, *&c.* answer to your names, and save your Fines.

Then *Ellis Stephens*, *William Rogers* and *John Marson* being upon Bail, Proclamation was made for them to attend, which they accordingly did, and Mr *Cowper* was brought into Court by the Under-Sheriff.

*Cl. of Arr. Spencer Cowper* hold up thy hand. (which he did.) *John Marson* hold up thy hand. (which he did.) *Ellis Stevens* hold up thy hand. (which he did.) *William Rogers* hold up thy hand. (which he did.)

You stand Indicted by the names of *Spencer Cowper*, late of the Parish of St *Johns*, in the Town of *Hertford*, in the County of *Hertford*, Esq; *John Marson*, late of the Parish aforesaid, in the County aforesaid, Gent. *Ellis Stevens*, late of the Parish aforesaid, in the County aforesaid, Gent. and *William Rogers*, late of the Parish aforesaid, in the County aforesaid, Gent. For that you not having God before your eyes, but being moved and seduced by the instigation of the Devil, on the thirteenth day of *March*, in the eleventh year of the Reign of his present Majesty, by force and arms, *&c.* at the Parish aforesaid, in the County aforesaid, in and upon one *Sarah Stout* Spinster, in the peace of God and our Soveraign Lord the King, then and there being, violently, feloniously, voluntarily, and of your malice aforethought, did make an assault; and that you the aforesaid *Spencer Cowper*, *John Marson*, *Ellis Stevens*, and *William Rogers*, a certain Rope of no value, about the neck of the said *Sarah* then and there feloniously, voluntarily, and of your malice aforethought, did put, place, fix and bind, and the neck and throat of the said *Sarah*, then and there with the hands of you the said *Spencer Cowper*, *John Marson*, *Ellis Stevens* and *William Rogers*, feloniously, voluntarily, and of your malice aforethought, did hold, squeeze, and gripe: And that you the said *Spencer Cowper*, *John Marson*, *Ellis Stevens*, and *William Rogers*, with the aforesaid Rope, by you the said *Spencer Cowper*, *John Marson*, *Ellis Stevens* and *William Rogers*, then as aforesaid about the neck of the aforesaid *Sarah Stout* put, placed, fixed, bound, and by the squeezing and griping of the neck and throat of the said *Sarah* with the hands of you the said *Spencer Cowper*, *John Marson*, *Ellis Stevens* and *William Rogers* as aforesaid, the said *Sarah Stout* then and there, by force and arms, *&c.* feloniously, voluntarily, and of your malice aforethought, did choak and strangle; by reason of which choaking and strangling of her the said *Sarah Stout*, by you the aforesaid *Spencer Cowper*, *John Marson*, *Ellis Stevens* and *William Rogers*, with the said Rope about the neck of the said *Sarah Stout* as aforesaid, placed, fixed and bound, and by the squeezing and griping of the neck and throat of the said *Sarah* with the hands of you the said *Spencer Cowper*, *John Marson*, *Ellis Stevens* and *William Rogers*, as aforesaid, the said *Sarah* then and there instantly dyed: And so you the said *Spencer Cowper*, *John Marson*, *Ellis Stevens* and *William Rogers*, the said *Sarah Stout*, on the thirteenth day of *March*, in the year aforesaid, in the Parish aforesaid, in the County aforesaid, in manner and form aforesaid, feloniously, voluntarily, and of your malice aforethought, did kill and murder; and the said *Sarah Stout*, as aforesaid, by you the said *Spencer Cowper*, *John Marson*, *Ellis Stevens* and *William Rogers*, feloniously, voluntarily, and out of your malice aforethought, choaked and strangled, into a certain River there, being called the *Priory River*, then secretly and maliciously did put and cast, to conceal and hide the said *Sarah Stout* so murdered, against the peace of our Soveraign Lord the King, his Crown and Dignity, *&c.* How sayst thou *Spencer Cowper*, art thou Guilty of the Felony and Murder whereof thou standst Indicted, or Not Guilty?

*Mr Cowper.* Not Guilty. *Cl. of Arr. Culprit.* How wilt thou be tried?

*Mr Cowper.* By God and my Country.

*Cl. of Arr.* God send you a good deliverance.

Then the other three pleaded likewise Not Guilty, and put themselves upon their Country in manner aforesaid.

Then Proclamation was made for Information.

*Cl. of Arr.* You the Prisoners at the Bar, These men that you shall hear call'd, and personally appear, are to pass between our Soveraign Lord the King and you, upon Trial of your several lives and deaths: Therefore if you will challenge 'em, or any of 'em, your time to speak is as they come to the Book to be Sworn, before they be Sworn.

Then the pannel was called over.

*Cl. of Arr.* Do you design to joyn in your Challenges, or to Challenge separately?

*Mr Cowper.* If we ſhould Challenge ſeparately, there muſt be ſo many ſeparate Tryals, and therefore to prevent the trouble of the Court, I am willing there ſhould be but one Challenge for all.

*Cl. of Arr.* Gentlemen, Do you all agree to that? *Priſoners.* Yes, yes.

Then after ſome Challenges, as well on the part of the King as of the Priſoners, there not being a full Jury of the principal Pannel:

*Mr Cowper.* If your Lordſhip pleaſe, the Pannel is now gone through, I deſire they may ſhew ſome legal Cauſe for their Challenges.

*Mr Jones.* I conceive we that are retain'd for the King are not bound to ſhew any Cauſe, or the Cauſe is ſufficient if we ſay they are not Good for the King, and that is allow'd to be a good Cauſe of Challenge, for what other Cauſe can we ſhew in this Caſe. You are not to ſhew your Cauſe, you Challenge peremptorily, ſo in this Caſe the King does

*Mr Cowper.* My Lord, I ſtand at the Bar with ſome diſadvantage, to encounter a Gentleman that hath no Concernment; but however, I do take it for Law, that there muſt be a Cauſe ſhew'd, and that Cauſe muſt be a legal one, and what that Cauſe is they muſt certainly make out. I do think it ought to appear that there is ſome relation, or ſome notorious affection or friendſhip, or ſomething of that ſort, or otherwiſe it is not a legal Cauſe of Challenge; and if there ſeem to be any difficulty in this particular, I hope your Lordſhip will aſſign me Councel to argue it with the Kings Councel.

*Mr Baron Hatſell.* Mr *Cowper*, you are not under ſuch diſadvantage as men uſually are that ſtand where you now do. You have been educated in the ſtudy of the Law, and underſtand it very well, I have ſeveral times ſeen how you have manag'd your Clients Cauſes to their advantage. As for this matter of Challenge, Mr *Jones*, I think you ſhou'd ſhew your Cauſe of Challenge, tho the Law allows the Priſoner the liberty to Challenge ſo peremptorily

*Mr Jones.* I don't know, in all my practice of this nature, that it was ever put upon the King to ſhew Cauſe, and I believe ſome of the Kings Councel will ſay they have not known it done.

*Mr Cowper.* In my L. Ch. Juſtice *Hale's Pleas of the Crown, p.* 259. it is expreſsly ſo, and in the Statute of 33 *E.* 1. 'tis ſaid the King ſhall not Challenge without Cauſe, and that muſt be legal. *Cl. of Arr.* Call *Daniel Clarke.*

*Mr Baron Hatſell.* Mr *Jones*, if you can ſay any Jury-man hath ſaid any thing concerning this Cauſe, and given his Verdict by way of diſcourſe, or ſhew'd his affection one way or other, that would be good Cauſe of Challenge.

*Mr Jones.* My Lord, then we ſhould keep you here while to morrow morning.

*Mr Baron Hatſell.* If there hath been any great friendſhip between any Jury-man and the party it will look ill if he be inſiſted upon.

*Mr Cowper.* My Lord, I don't inſiſt upon it, but I profeſs I know of no Friendſhip only that Mr *Clarke* in Elections hath taken our Intereſt in Town; I know I have a juſt Cauſe, and I am ready to be tryed before your Lordſhip and any fair Jury of the County; therefore I do not inſiſt upon it.

Then the Jury ſworn was as followeth:

| | | |
|---|---|---|
| *Evan. Lloyd*, Eſq; | Jur | *Thomas Parrott*, |
| *William Watſon*, | | *Sam. Wallingham*, |
| *John Prior*, | | *Francis Cole*, |
| *John Harrow*, | | *Ricb. Crouch*, |
| *George Holgate*, | | *John Cock*, |
| *John Stracey*. | | *Rich. Dickinſon*. |

*Mr Cowper.* My Lord, I humbly move that I may have Pen, Ink and Paper.

*Mr Baron Hatſell.* Ay, by all means.

*Cl. of Arr.* Hold up your hand. (which he did) And ſo of the reſt.

You of the Jury look upon the Priſoners, and hearken to their charge. They ſtand Indicted by the names of, *&c.* (*Prout* in the Indictment (*mutatis mutandis.*)

*Jury.* My Lord, we deſire we may have Pen, Ink and Paper.

*Clerk of the Aſſize.* There are three of the Jury deſire Pen, Ink and Paper.

*Mr Baron Hatſell.* Let as many have it as will.

*Mr Jones.* May it pleaſe your Lordſhip, and you Gentlemen that are ſworn, I am of Councel for the King in this Cauſe, and it is upon an Indictment by which the Gentlemen at the Bar ſtand accus'd for one of the fouleſt and moſt wicked Crimes almoſt that any age can remember; I believe in your County you never knew a fact of this nature: For here is a young Gentlewoman of this County murder'd and ſtrangled in the night time. The thing was done in the dark, therefore the Evidence cannot be ſo plain as otherwiſe might be.

After

After ſhe was ſtrangled and murder'd, ſhe was carried and thrown into the River to hide the fact, and to make it ſuppos'd that ſhe had murder'd herſelf; that it was in fact, if I prove otherwiſe, a double Murder, and a Murder accompanied with all the Circumſtances of Wickedneſs and Villany that I remember in all my Practice, or ever read.

This Fact, as it was committed in the night time, ſo it was carried very ſecret, and it is very well we have had ſo much light as we have to give ſo much ſatisfaction: For we have here in a manner two Tryals, one to acquit the party that is dead and to ſatisfie the world, and vindicate her reputation that ſhe did not murder herſelf but was murder'd by other hands. For my part, I ſhall never as Counſel in the caſe of Blood aggravate; I will not improve or enlarge the Evidence at all, it ſhall be only my buſineſs to ſet the Fact as it is, and to give the Evidence, and ſtate it as it ſtands here in my Inſtructions.

My Lord, for that purpoſe, to lead to the Fact, it will be neceſſary to inform you that upon *Monday* the 13th of *March*, the firſt day of the laſt Aſſizes here, Mr *Cowper*, one of the Gentlemen at the Bar, came to this Town, and lighted at Mr *Beaſt*'s houſe, and ſtaid there ſome time, I ſuppoſe, to dry himſelf, the weather being dirty, but ſent his Horſe to Mrs *Stout*'s, the Mother of this Gentlewoman. Some time after he came thither himſelf, and din'd there, and ſtaid till 4 in the afternoon; at 4 when he went away, he told them he would come and lodge there that night, and Sup.

According to his word he came there, and had the Supper he deſired, after Supper Mrs *Stout* the young Gentlewoman and he ſat together till near 11 a clock. At 11 a clock there was orders given to warm his Bed, openly to warm his Bed in his hearing. The Maid of the houſe, Gentlemen, upon this went up ſtairs to warm his Bed, expecting the Gentleman would have come up and followed her before ſhe had done, but it ſeems while ſhe was warming of the Bed ſhe heard the door clap together, and the nature of that door is ſuch, that it makes a great noiſe at the clapping of it to, that any body in the Houſe may be ſenſible of any ones going out. The Maid upon this was concern'd, and wonder'd at the meaning of it, he promiſing to lye there that night; ſhe came down, but there was neither Mr *Cowper* nor Mrs *Stout* to be ſeen, we ſuppoſe, and for all that we can find and learn, they muſt go out together. After their going out, the Maid and Mother came into the Room, and the young Gentlewoman not returning, nor Mr *Cowper*, they ſat up all night in the houſe expecting what time the young Gentlewoman would return. The next morning finding they had ſat up all night, the firſt news of this Lady was, that ſhe lay floating and ſwimming in water by the Mill-Damm. Upon that there was ſeveral perſons call'd; ſo it was a ſurprize how this ſhould come to paſs. There ſhe lay floating with her Petticoats and Apron, but her Night-rail and Morning-gown were off, and one of them not found till ſome time after; and the Maid will give you an account how it came to be found.

This made a great noiſe in the Country; for it was very extraordinary, it happning that from the time the Maid left Mr *Cowper* and this young Gentlewoman together, ſhe was not ſeen or heard of till next morning, when ſhe was found in this condition, with her Eyes broad open, floating upon the water.

When her Body came to be view'd it was very much wonder'd at: For in the firſt place it is contrary to nature, that any perſons that drown themſelves, ſhould float upon the water. We have ſufficient Evidence that it is a thing that never was, if perſons come alive into the water then they ſink, if dead then they ſwim, that made ſome more curious to look into this matter. At firſt it was thought that ſuch an accident might happen, though they could not imagin any cauſe for this woman to do ſo, who had ſo great Proſperity, had ſo good an Eſtate, and had no occaſion to do an action upon her ſelf ſo wicked and ſo barbarous, nor cannot learn what reaſon ſhe had to induce her to ſuch a thing. Upon view of the Body it did appear there had been violence uſed to the woman, there was a creaſe round her Neck, ſhe was bruiſed about her Ear, ſo that it did ſeem as if ſhe had been ſtrangled either by Hands or a Rope.

Gentlemen, upon the examination of this matter, it was wondred how this matter came about, it was dark and blind. The Coroner at that time, nor theſe people had no Evidence given, but the ordinary Evidence, and it paſs'd in a day. We muſt call our Witneſſes to this Fact, that of neceſſity you muſt conclude ſhe was ſtrangled, and did not drown her ſelf; If we give you as ſtrong a proof as can be upon the nature of the Fact that ſhe was ſtrangled, then the 2d matter under your enquiry will be, to know who, or what perſons ſhould be the men that did the Fact. I told you before it was, as all wicked actions are, a matter of darkneſs, and done in ſecret, to be kept as much from the knowledge of men as was poſſible.

Truly,

Truly, Gentlemen, as to the perſons at the Bar, the Evidence of the Fact will be very ſhort, and will be to this purpoſe.

Mr *Cowper* was the laſt man unfortunately in her Company, I could wiſh he had not been ſo with all my heart, 'tis a very unfortunate thing, that his name ſhould upon this occaſion be brought upon the Stage; but then, my Lord, it was a ſtrange thing; here happens to be three Gentlemen, Mr *Marſon*, Mr *Rogers*, and Mr *Stevens*, as to theſe 3 men my, Lord, I don't hear of any buſineſs they had here, unleſs it was to do this matter, to ſerve ſome Intereſt or Friend, that ſent them upon this meſſage, for my Lord, they came to Town, (and in things of this nature, 'tis well we have this Evidence, but if we had not been ſtreightned in time it would have brought out more, theſe things come out ſlowly) theſe perſons, Mr *Stevens*, Mr *Rogers*, and Mr *Marſon* came to Town here on the 13th of *March* laſt, the Aſſize day: My Lord, when they came to Town, they came to an Houſe, and took Lodgings at one *Gurrey*'s, they took a Bed for two and went out of their Lodging, having taken a room with a large Bed in it, and afterwards they went to the *Glove and Dolphin*, and then about 8 a Clock one *Marſon* came to them there; in what company they came, your Lordſhip and the Jury will know by and by, they ſtaid there, my Lord, at the *Glove* from 8 a Clock to 11, as they ſay. At 11 theſe three Gentlemen came all in to their Lodging together to this *Gurrey*'s; my Lord, when they came in, it was very obſervable amongſt them, unleſs there had been a ſort of fate in it: 1ſt, That they ſhould happen to be in the condition they were in, and 2dly, fall upon the diſcourſe they did at that time; for my Lord, they call'd for Fire, and the Fire was made them, and while the people of the Houſe were going about, they obſerv'd and heard theſe Gentlemen talk of Mrs *Sarah Stout*, that happened to be their diſcourſe, one ſaid to the other. *Marſon*, ſhe was an old Sweet-heart of yours: Ay, ſaith he, but ſhe caſt me off, but I reckon by this time a Friend of mine has done her buſineſs: another piece of diſcourſe was, I believe a Friend of mine is even with her by this time. They had a bundle of Linnen with them, but what it was is not known, and one takes the bundle and throws it upon the Bed, well, ſaith he, her buſineſs is done, Mrs *Sarah Stout*'s courting days are over, and they ſent for Wine, my Lord; ſo after they had drank of the Wine they talk'd of it, and one pulled out a great deal of Money, ſaith one to another, what Money have you ſpent to day? Saith the other, thou haſt had 40 or 50 *l.* for thy ſhare: Saith the other, I will ſpend all the money I have, for joy the buſineſs is done.

My Lord, this diſcourſe happned to be among them, which made the People of the Houſe conſider and bethink themſelves, when the next day they heard of this Mrs *Stout*'s being found in the water, this made them recollect and call to mind all theſe diſcourſes.

My Lord, after theſe Gentlemen had ſtaid there all night, next morning truly it was obſerv'd (and I ſuppoſe ſome account will be given of it) that Mr *Cowper* and they did meet together, and had ſeveral diſcourſes, and that very day went out of Town, and I think as ſoon as they came to *Hoddeſdon*, made it all their diſcourſe and buſineſs to talk of Mrs *Stout*.

My Lord, we will call our Witneſſes, and prove all theſe Facts that I have opened to your Lordſhip, and then I hope they will be put to give you ſome account how all theſe matters came about. Call *Sarah Walker* (who was ſworn)

Mr *Jones*, Mrs *Walker* pray give an account to my Lord and the Jury, of Mr *Cowper*'s coming to your houſe the 13th of *March*, and what was done from his coming there at night to his going out.

*Sarah Walker.* May it pleaſe you, my Lord, on *Friday* before the laſt Aſſizes, Mr *Cowper*'s Wife ſent a Letter to Miſtreſs *Stout*, that ſhe might expect Mr *Cowper* at the Aſſize time, and therefore we expected Mr *Cowper* at that time, and accordingly provided; and as he came in with the Judges, ſhe ask'd him if he would alight, he ſaid no, by reaſon I come in later than uſual, I will go into the Town and ſhew my ſelf, but he would ſend his Horſe preſently; ſhe ask'd him, how long it would be before he would come, becauſe they would ſtay for him; he ſaid, he could not tell, but he would ſend her word, and ſhe thought he had forgot, and ſent me down to know, whether he would pleaſe to come: he ſaid, he had buſineſs, and he could not come juſt then, but he came in leſs than a quarter of an hour after, and din'd there, and he went away at 4 a Clock, and then my Miſtreſs askt him, if he would lye there, and he anſwer'd yes, and he came at night about 9 a Clock, and he ſat talking about half an hour, and then call'd for Pen, Ink and Paper, for that, as he ſaid, he was to write to his Wife, which was brought him, and he wrote a Letter, and then my Miſtreſs went and askt him, what he would have for Supper, he ſaid Milk, by reaſon he had made a good Dinner; and I got him his Supper and he eat it, after ſhe called me

in

in again, and they were talking together, and then ſhe bid me make a Fire in his Chamber and when I had done ſo I came and told him of it, and he look'd at me, and made me no anſwer; then ſhe bid me warm the Bed, which accordingly I went up to do as the Clock ſtruck 11, and in about a quarter of an hour, I heard the door ſhut, and I thought he was gone to carry the Letter, and ſtaid about a quarter of an hour longer and came down, and he was gone and ſhe, and Mrs *Stout* the Mother, ask'd me the reaſon why he went out when I was warming his Bed, and ſhe aſkt me for my Miſtreſs, and I told her, I left her with Mr *Cowper*, and I never ſaw her after that, nor did Mr *Cowper* return to the houſe.

*Mr Jones.* How long did you ſit up? *Walker.* All night.

*Mr Jones.* What time next morning did you ſee her? *Walker.* About 7 a clock.

*Mr Jones.* In the Water, or out? *Walker.* Out of the Water.

*Mr Cowper.* Pray will you recollect a little, and be very particular as to the time when I went out at night.

*Walker.* Sir, it was a quarter after 11 by our Clock, the difference between the Town Clock and ours was half an hour.

*Mr Cowper.* But you ſay by your Clock it was a quarter after 11. *Walker.* Yes Sir.

*Mr Cowper.* Pray what account did you give as to the time to the Coroners Inqueſt?

*Walker.* I ſaid then it was 11, or a quarter after 11, when I heard the door ſhut.

*Mr Cowper.* Pray was Miſtreſs *Stout* preſent with the Coroners Inqueſt when you gave that account? *Walker.* Yes, ſhe was.

*Mr Cowper.* Pray what account did you give as to the time before my L. C. J *Holt*?

*Walker.* I gave the account that it was 11, or a quarter of an hour after.

*Mr Cowper.* In her Depoſitions there is half an hours difference, for then ſhe ſaid it was half an hour after 10.

*Mr Baron Hoſell.* Which Clock was earlieſt, yours or the Town Clock?

*Walker.* Ours was half an hour faſter than theirs.

*Mr Jones.* So then it wanted a quarter of 11 by the Town Clock.

*Mr Cowper.* How came you to know this?

*Walker.* By reaſon that Dinner was dreſt at the Cooks and it was order'd to be ready by 2 a clock, and it was ready at 2 a clock by the Town clock, and half an hour after 2 by ours.

*Mr Cowper.* When you came down and miſt your Miſtreſs, did you enquire after her all that night?

*Walker.* No Sir, I did not go out of the doors; I thought you were with her, and ſo I thought ſhe would come to no harm.

*Mr Cowper.* Here is a whole night ſhe gives no account of. Pray Miſtreſs why did not you go after her? *Walker.* My Miſtreſs would not let me.

*Mr Cowper.* Why would ſhe not let you?

*Walker.* I ſaid I would ſee for her: No, ſaith ſhe, by reaſon if you go and ſee for her, and do not find her, it will make an alarm over the Town, and there may be no occaſion. *Mr Cowper.* Did your Miſtreſs uſe to ſtay out all night?

*Walker.* No, never. *Mr Cowper.* Have not you ſaid ſo?

*Walker.* I never ſaid ſo in my life

*Mr Cowper.* Pray Mrs *Walker* did you never take notice that your Miſtreſs was under Melancholy?

*Walker.* I don't ſay but ſhe was melancholy; ſhe was ill for ſome time, and I imputed it to her illneſs, and I know no other cauſe.

*Mr Cowper.* Have you not often told people that your Miſtreſs was a melancholy perſon, upon your Oath?

*Walker.* I have ſaid ſhe hath been ill, and that made her melancholy.

*Mr Cowper.* I will ask you this queſtion, Pray did you ever purchaſe any Poyſon, more or leſs, within theſe twelvemonths?

*Walker.* Yes Sir, I did ſo, and can tell what it was for.

*Mr Cowper.* By whoſe order? *Walker.* By my own order.

*Mr Cowper.* Did you buy Poyſon but once, upon your Oath?

*Walker.* I believe I might buy twice. *Mr Cowper.* Where?

*Walker.* Of Mr *Ludman*. *Mr Cowper.* Both times there? *Walker.* Yes.

*Mr Cowper.* Of him? *Walker.* No, of the young man.

*Mr Cowper.* Did you ever buy any Poiſon at *Luton*? *Walker.* No.

*Mr Cowper.* Did you ever buy any by your Miſtreſſes order, or of one Mrs *Crooke*, upon your Oath? *Walker.* No, I never did.

*Mr Cowper.* Pray at what time was it you bought this Poyſon you ſpeak of?

*Walker.* I can't remember. *Mr Cowper.* Pray recollect your ſelf.

*Walker.* It was within this half year to be ſure.

*Mr Cowper.* What was the name of the Poyſon you askt for?

*Walker.* I askt for White Mercury.

*Mr Cowper.* She ſaith, I paſt by her Miſtreſſes houſe, and went directly to Mr *Barefoot's*, pray did not you come to Mr *Barefoot's* after me? *Walker.* Yes Sir.

*Mr Cowper.* Pray did you give the ſame account before the Coroner, when this matter was enquir'd into, that you have now done?

*Walker.* Yes I did as near as I can tell.

*Mr Cowper.* Did you give this account in ſubſtance? *Walker.* Yes I did.

*Mr Bar. Hatſell.* Mr *Cowper*, I ſuppoſe you don't mean in relation to the Poyſon.

*Mr Cowper.* My Lord I mean in relation to ſo much of the evidence which ſhe now gives, and particularly reſpects me. For what end or purpoſe did you buy it?

*Walker.* I bought it to poyſon a Dog.

*Mr Cowper.* Why ſhould you poyſon the Dog?

*Walker* It was a Dog that us'd to haunt our Houſe that did us a great deal of miſchief, but that did not do, ſo I bought it a 2d time.

*Mr Cowper.* Who gave it to the Dog?

*Walker.* 'Twas another maid did give it the Dog.

*Mr Cowper.* Why did you then ſwear it was given the Dog.

*Walker.* Sir I ſaw it given. *Mr Cowper.* Did your Miſtreſs know of it?

*Walker.* Yes ſhe did know of it afterwards. *Mr Cowper.* How did you give it?

*Walker.* In warm Milk. *Mr Cowper.* How did the Milk look?

*Walker.* It did not look diſcolour'd in the leaſt.

*Mr Bar. Hatſell* You ſaid juſt now your Miſtreſs was ill, and that made her melancholy, what illneſs was it?

*Walker.* My Lord, ſhe had a great pain in her head.

Mr *Bar. Hatſell.* How long had ſhe been troubled with it?

*Walker.* Ever ſince laſt *May* was twelvemonths was the beginning of it.

*Mr Jones* Did you ever find her in the leaſt inclin'd to do herſelf a miſchief?

*Walker.* No I never did.

*Mr Cowper.* You bought Poyſon twice, did you give all the Poyſon you bought to the Dog? *Walker.* Yes. *Mr Cowper.* The firſt and the laſt?

*Walker.* Yes the whole. *Mr Cowper.* How much did you buy?

*Walker.* I am not certain how much I bought.

*Mr Cowper.* Pray what miſchief did it do the Dog?

*Walker.* I cannot tell, he may be alive till now for ought I know.

*Mr Cowper.* What miſchief did the Dog do?

*Walker.* A great deal, he threw down ſeveral things and broke them.

*Mr Jones.* Did Mr *Cowper* upon your Oath, hear Miſtreſs *Stout* give you order to make his Fire and warm his Bed?

*Walker.* He knows beſt, whether he heard it or no; but he ſat by her when ſhe ſpake it. *Mr Jones.* Did ſhe ſpeak it ſo as he might hear?

*Walker.* Yes ſhe did, for he was nearer than I.

*Mr Jones.* And did not he contradict it? *Walker.* Not in the leaſt.

*Mr Jones.* Was it the old or young woman, that gave you the order?

*Walker.* The young woman

*Mr Cowper.* Pray did the Dog lap it, or did you poure it down his Throat, upon your Oath? *Walker.* No he lapt it upon my Oath.

*Mr Jones.* Did Mr *Cowper* ſend for his Horſe from your houſe the next day?

*Walker.* I can't ſay that, I was not in the way.

*Mr Jones.* Did he come to your Houſe afterwards?

*Walker.* No I am ſure he did not.

*Mr Jones.* Was the Horſe in your Stable when it was ſent for?

*Walker.* Yes Sir.

*Mr Jones.* And he did not come to your Houſe again, before he went out of Town?

*Walker.* No Sir. *Mr Jones* Do you know which way he went out of Town?

*Walker.* No Sir.

*Mr Bar. Hatſell.* Did Mr *Cowper* uſe to lodge at your houſe at the Aſſizes?

*Walker.* No my Lord, not ſince I came there, the Seſſions before he did.

*Mr Cowper.* Where did you come to invite me to dinner?

*Walker.* At Mr *Barefoot's*. *Mr Cowper.* Then you knew I was to lodge there?

*Mr Bar. Hatſell.* Who wrote the Letter on *Friday*, that Mr *Cowper* would lodge there?

*Walker.* I know not who wrote it, his Wife ſent it.

*Mr Jones.* Did he tell you he would lodge there that night before he went away?

*Walker.* When he went from Dinner he ſaid ſo.

*Mr Jones.* Call *James Berry* (who was ſworn) Now, my Lord, we will give Evi-

Evidence of the manner, how she was found. Mr *Berry* do you remember when Mrs *Stout* was found by your Mill?

*Berry.* No indeed I do not know just what day it was.

*Mr Jones.* When you found her, do you remember how, in what manner she was found?

*Berry.* Yes, I went out in the morning to shoot a flash of water by 6 a Clock, and. I saw something a floating in the water, so I went out to see what it was, and I saw part of her Cloaths. *Mr Jones.* Did you see her Face? *Berry.* No, not then.

Mr *Jones.* Was her face under water, or above?

*Berry.* No part of her body was above water, only some part of her Cloaths.

Mr *Jones.* How many foot deep might the water be? *Berry.* 5 foot deep.

Mr *Jones* And how much was she under water, do you conceive?

*Berry.* She might be under water about 5 or 6 inches.

Mr *Jones.* Then her whole body was not under water, was it? *Berry.* Yes.

Mr *Jones.* Was her face under water? *Berry.* Yes.

Mr *Baron Hatsell.* Did she lye upon her face, or her back?

*Berry.* She lay upon her side.

Mr *Jones.* When she was taken out were her eyes open or shut?

*Berry.* Her eyes were open. Mr *Jones.* Was she swell'd with water?

*Berry.* I did not perceive her swell'd; I was amaz'd at it, and did not so much mind it as I should.

Mr *Jones.* But you remember her eyes were staring open? *Berry.* Yes.

Mr *Jones.* Did you see any marks or bruises about her? *Berry* No.

Mr *Cowper.* Did you see her legs? *Berry.* No. I did not.

Mr. *Cowper.* They were not above water? *Berry.* No.

Mr *Cowper.* Could you see them under water?

*Berry.* I did not so much mind it.

Mr *Cowper.* Did she lye straight or double, driven together by the stream?

*Berry.* I did not observe.

Mr *Cowper.* Did you not observe weeds and trumpery under her?

*Berry.* There was no weeds at that time thereabouts?

Mr *Jones.* Was the water clear? *Berry* No, it was thick water.

Mr *Jones.* Was there any thing under her in the water, to prevent her sinking?

*Berry.* No, I do not know there was, she lay on her right side, and her right arm was driven between the stakes, which are within a foot of one another.

Mr *Jones.* Did any thing hinder her from sinking? *Berry.* Not that I saw.

Mr *Jones.* Did you help to take her out from the stakes? *Berry.* No.

Mr *Jones.* Call *John Venables.*

Mr *Cowper.* Mr *Berry*, if I understand you right, you say her right arm was driven between the stakes, and her head between the stakes, could you perceive her right arm, and where was her left arm?

*Berry.* Within a small matter upon the water.

*Mr Bar. Hatsell.* Did you see her head and arm between the stakes?

*Berry.* Yes, her arm by one stake, and her head by another.

*Mr Jones.* Did the arm hang down, or how?

*Berry.* I did not mind so much as I might have done?

Then *John Venables* was sworn.

*Mr Jones.* Did you see Mrs *Stout*, when she was taken out of the water, and as she lay in it? *Venables.* Yes. *Mr Jones.* Give an account how you found her.

*Venables.* She was floating upon the water.

*Mr Jones.* How? was all her body, or what part in the water?

*Venables.* She lay upon her right side, and this arm upon the water, rather above the water, her ruffles were above the water. Mr *Jones.* Did you help to take her out?

*Venables.* No Sir. Mr *Jones.* Were her eyes open then?

*Venables.* Her eyes were open when I saw her, but I did not see her when she was taken out. Mr *Jones.* Did any thing hinder her from sinking?

*Venables.* I saw nothing to hinder her if she would have sunk.

Mr *Jones.* Call *Leonard Dell* (who was sworn) Did you see this Mrs *Stout* in the Water? *Dell.* Yes. Mr *Jones* Pray tell us in what posture she was found.

*Dell.* I saw her floating in the River, I saw her Face and her Cloaths.

Mr *Jones* Were her Cloaths all above the water.

*Dell.* Her Stays and her Coat that she had next her.

Mr *Jones* Were these plainly above the water?

*Dell* Some part of them.

Mr *Jones.* Did you see her face, was that above the Water?

*Dell.* No Sir, it was between the Piles, she lay on her right side, and her head was between the Stakes, and her right arm.

Mr

Mr *Jones*. Did you help to take her out of the water? *Dell*. Yes.
Mr *Jones*. Did any thing hinder her from ſinking?
*Dell*. Neither ſtakes nor any thing there.
Mr *Jones*. Did her arms or neck ſtick to the ſtakes?
*Dell*. Not to my thinking. Mr *Jones*. Was the water clear, or weedy.
*Dell*. It was very clear. Mr *Jones*. How many foot deep was it?
*Dell*. I know not, but it might be 5 foot deep.
Mr *Jones*. Did you help to take her out of the water?
*Dell*. Yes Sir, and we took her and carried her into the meadow juſt by, and laid her on the bank.
Mr *Jones*. Did you obſerve her face, neck or arms to be bruiſ'd?
*Dell*. I ſaw no bruiſe at all.
Mr *Cowper*. How did you know but her right arm did reach to the ground, ſince you did not ſee it?
*Dell*. We could ſee her arm lye in this manner between the Piles, the right arm was downwards, for ſhe lay on one ſide.
*Jury man*. Did you ſee any arm above in the water? *Dell*. No.
Mr Baron *Hatſell* You ſhould propoſe your queſtions to the Court.
*Jury man*. My Lord, I deſire to know where was her left arm.
Mr Baron *Hatſell*. Where was her left arm?
*Dell*. I can't tell how it did lye, I did not obſerve it.
Mr Baron *Hatſell*. When you took her out of the water did you obſerve her body ſwell'd?
*Dell*. We carried her into the meadow, and laid her on the bank ſide, and there ſhe lay about an hour, and then was order'd to be carried into the Miller's.
Mr Baron *Hatſell* Did you obſerve that any water was in her body?
*Dell*. None at all that I could ſee, but there was ſome ſmall matter of froth came from her mouth and noſtrils.
*Jury man*. My Lord, I deſire to know whether her Stayes were lac'd?
*Dell* Yes ſhe was laced. Mr *Cowper* If I take you right, you ſay ſhe was ſtrait lac'd.
*Dell*. Her Stayes were lac'd.
Mr *Cowper*. And you ſay there was froth and foam came out of her mouth and noſtrils? *Dell*. Yes Sir. Mr *Jones*. Pray what quantity?
*Dell*. I could hold it all in the palm of my hand.
Mr *Cowper*. How was ſhe taken out of the water?
*Dell*. My Lord, we ſtood upon the Bridge, I and another man, where ſhe lay, and he laid hold of her, and took her out.
Mr *Jones*. And did you not perceive ſhe was hung? *Dell*. No, my Lord.
Mr *Cowper*. Pray where was ſhe laid when ſhe was taken out?
*Dell* In the place call'd the *Hoppers* juſt by.
Mr *Cowper*. How long dip ſhe lye there? *Dell*. About an hour.
Mr *Cowper*. Did you ſtay there all that time? *Dell*. Yes.
Mr *Cowper*. And did the froth continue to iſſue from her mouth and noſtrils?
Mr Bar. *Hatſell* He told you, Mr *Cowper*, he could hold it all on the palm of his hand.
Mr *Jones*. Call *John Ulfe*. (who was ſworn) *John Ulfe*, did you ſee Mrs *Stout* when ſhe was taken out of the water? *Ulfe*. Yes.
Mr *Jones*. Give an account of the condition ſhe was in.
*Ulfe*. She lay on one ſide, I help'd to take her out.
Mr *Jones*. Did ſhe hang or ſtick by any thing?
*Ulfe*. There was nothing at all to hold her up; ſhe lay between a couple of ſtakes, but the ſtakes could not hold her up.
Mr *Jones*. Did you ſee her after ſhe was taken out? *Ulfe*. Yes.
Mr *Jones*. Did any water come out of her?
*Ulfe*. Nothing at all, only a little froth came out of her noſtrils.
Mr *Jones* Call *Kath. Dew*. (who was ſworn.) Did you ſee Mrs *Stout* taken out of the River? *Dew*. Yes. Mr *Jones*. Did you ſee her in the River before?
*Dew*. Yes Sir. Mr *Jones*. How did ſhe lye in the River?
*Dew*. She lay ſide way with her Eyes open, and her Teeth clenched in her head, with water flowing a little from her face, ſome part of her and her Petticoats were above water. Mr *Jones*. Did nothing hold her from ſinking?
*Dew*. Her right arm lay againſt the ſtake.
Mr *Jones*. Did you ſee her after ſhe was taken out of the River?
*Dew*. Yes Sir. Mr *Jones*. Was ſhe ſwell'd?
*Dew*. I did not perceive ſhe was ſwell'd at all. Mr *Jones* Did you handle her?
*Dew*. No I touchd nothing but her Petticoat.
Mr *Jones*. Did you obſerve her Legs were in the water? *Dew*. No I did not.

Mr *Cowper*. Did you ſee where her right arm was?

*Dew*. I could not ſee her right arm, the water flow'd over it.

Mr *Cowper* Did you ſee her after this time?

*Dew*. No Sir, I ſaw her taken out, but not afterwards.

Mr Bar. *Hatſell*. Did you ſee her after ſhe lay on the ground?

*Dew*. Yes my Lord. Mr Bar. *Hatſell*. How was ſhe then?

*Dew*. She purged at the Noſe and one of her Eyes, I did not take particular notice after ſhe was out, the notice I took was when ſhe was in the water.

Mr Bar. *Hatſell*. What did you ſee at her Eye? *Dew*. Froth, my Lord.

Mr *Jones* Did you ſee her after ſhe was ſtripp'd naked? *Dew* No my Lord.

Mr *Jones*. Was it a ſettled frothing, or a purging? *Dew* A purging froth.

Mr Bar. *Hatſell*. Did any body wipe it off? *Dew*. No, my Lord, I did not ſee any body do it.

Mr Bar *Hatſell*. Then there was no new froth come?

*Dew*. No my Lord, I ſaw her froth at the Noſe and one of the Eyes, as ſoon as ſhe was taken out, but I did not ſtay long. Mr *Cowper*. Was ſhe in her Stayes?

*Dew*. Yes Sir. Mr *Cowper*. Was ſhe not laced?

*Dew*. Yes ſhe was lac'd before and behind.

Mr *Jones*. Call *Thomas Dew* (who was ſworn) Did you ſee this Mrs *Stout* in the water? Pray give my Lord and the Jury an account what poſture ſhe was in.

*Dew*. I ſaw her lying in the water floating, above the water I will not ſay, but the water ran ſome ſmall matter over her, her right arm was within the ſtake, and her left arm without, ſhe lay juſt upon her ſide, and I ſaw her when ſhe was firſt taken up and her Shoes and Stockings were as clean as when they were put on, no mud nor dirt upon them, and I ſaw her Shoes and her Stockings, as high as her knee almoſt, but I ſaw no dirt.

Mr *Jones*. Do you believe that ſhe had been ſunk to the bottom?

*Dew*. She did not look as if ſhe had, nor I ſee no water come from her.

Mr *Jones*. Did you obſerve, that ſhe was ſwelled at all?

*Dew*. No, nor ſwell'd that I perceiv'd abit, there was a little froth that came out of her Noſe, and about her (I can't ſay from her Eye) in that it was a ſmall quantity.

Mr *Jones* Call Mr *Edward Blackno*. (who was ſworn) Did you ſee Mrs *Stout*, when ſhe lay in the water?

*Blackno*. Yes I did ſee her lye in the water floating, I was ſo near, that I ſaw the Millers man lift her up by one of her arms out of the water.

Mr *Jones*. Was the arm bent or ſtraight?

*Blackno*. It hung in this manner (ſhowing the Court how with his own arm.)

Mr Bar. *Hatſell*. The other Witneſſes ſaid, ſhe lay on her right ſide.

*Blackno*. Yes ſhe lay on her right ſide, and her arm in this manner.

Mr Bar. *Hatſell*. Did you obſerve her to be ſwelled?

*Blackno*. I did not ſee her taken out.

Mr Bar. *Hatſell*. Did you obſerve any thing to hinder her from ſinking?

*Blackno*. No I did not, nothing but the water.

Mr *Cowper*. I think Sir, if I heard you right, you ſay, that this taking by the arm and ſtirring her, was before ſhe was taken out of the water, then I would know after ſhe was ſtirred was ſhe let go again, was you by at the taking of her up?

*Blackno*. No I was not.

Mr Bar *Hatſell*. He told you ſhe was floating when he ſaw her, and that nothing hindered her from ſinking.

Then *William Edmunds* and *William Page* were ſworn.

Mr *Jones*. *Edmunds* did you ſee Mrs *Stout* when ſhe was in the water?

*Edmunds*. Yes Sir. Mr *Jones*. Give an account what poſture ſhe was in?

*Edmunds*. She lay againſt the ſtake, her heah lay againſt the ſtake in the River, we were coming up in a Barge, and called to a Miller to draw the water, but he ſaid he could not, for then ſhe would ſwim through, and then we came on, and ſee her lye in the water. Mr *Jones*. Did any thing hinder her from ſinking?

*Edmunds*. Not that I ſee.

Mr *Jones*. Did no part of her legs or arms ſtick? did you ſee her taken out?

*Edmunds*. No I did not, I was gone, I did not know whether they would take her out or no. Mr *Jones*. *Page*, did you ſee Mrs *Stout* upon the water?

*Page*. Yes Sir. Mr *Jones*. Tell us how ſhe lay.

*Page*. She lay floating in the water on her right ſide, with her head between the ſtakes. Mr *Jones*. Did her Arms or Cloaths, or any thing ſtick?

*Page*. Not that I ſaw. Mr *Jones*. Did any thing hinder her from ſinking?

*Page*. I ſaw nothing. Mr *Cowper*. Did you ſee her legs or knees?

*Page*. No I could not, they were not out of the water.

Mr *Jones*. Swear Sr's *Ann Ulfe* (which was done) Did you ſee Mrs *Stout* in the water?

*Ulfe*. Yes I help'd to pull her out, ſhe lay on one ſide in the water floating, and the water came over her face.

Mr *Jones*. Did ſhe ſtick by any thing?

*Ulfe*. One of her arms was about the poſt.

Mr *Jones*. How? *Ulfe*. It got through the grate.

Mr *Jones*. But it did not hang. *Ufe*. No. Mr *Jones*. Did you take her out?

*Ulfe*. Yes Sir. Mr *Jones*. Did you mind her Cloaths?

*Ufe*. Yes I turn'd up her petticoat in the water. *Mr Jones*. Had ſhe Gloves on?

*Ufe*. No Sir. *Mr Jones*. How were her Shoes and Stockings?

*Ufe*. They were not muddy, her Stockings were rowl'd down, ſhe had no Garters on.

*Mr Cowper*. You ſay, one arm lay through the ſtakes, where lay the other?

*Ulfe*. The other was down in the water. (*William How* was ſworn.)

*Mr Jones* Did you ſee Mrs *Stout* in the water?

*How*. Yes Sir, I ſee her lye upon the water, ſhe lay afloat, ſhe might lye 3 or 4 inches deep in the water. *Mr Jones*. Did any of her Cloaths lye above the water?

*How*. Some part of her Coats lay above the water.

Mr *Jones*. Did any thing hinder her from ſinking?

*How*. I ſaw nothing, I ſaw them take her out, and did not perceive ſhe hung any way, ſhe lay with one arm, and her head in the grate, but I did not perceive ſhe hung.

*John Meager* ſworn.

*Mr Jones*. Well, do you give an account of what you know of Mrs *Stout* being in the water?

*Meager*. I ſee Mrs *Sarah Stout* floating in the water, her right arm in the grate, and her left arm with the ſtream.

Mr *Jones*. Did ſhe hang or ſtick by any thing?

*Meager*. No, neither hang nor ſtick, ſhe floated.

Mr *Cowper*. Did you ſee ſome body go through the Blue-coat building about 11 a clock?

*Meager*. No Sir, I was abed before 9.

Mr *Jones*. Now, my Lord, we will give an account how ſhe was when ſhe was ſtript, and they came to view the body. Call *John Dimſdale*, junior. (who was ſworn.)

*Dimſdale*. My Lord, I was ſent for at night on *Tueſday* the laſt Aſſizes ——

Mr *Cowper*. My Lord, if your Lordſhip pleaſes, I have ſome Phyſicians of note and eminency that are come down from *London*, I deſire they may be call'd into Court to hear what theſe Surgeons ſay. Mr Baron *Hatſell*. Ay, by all means.

Mr *Cowper*. My Lord, there is Dr *Sloane*, Dr *Garth*. Dr *Morley*, Dr *Gilſtrop*, Dr *Harriot*, Dr *Wollaſton*, Dr *Crell*, Mr *William Cowper*, Mr *Bartleft*, and Mr *Camlin*.

(Who reſpectively appear'd in Court.)

Mr *Jones*. Give an account how you found Mrs *Stout*.

Mr Baron *Hatſell*. You are a Phyſician, I ſuppoſe, Sir?

*Dimſdale*. A Surgeon, my Lord. When I was ſent for to Mrs *Stout*'s, I was ſent for two or three times before I would go, for I was unwilling after I heard Mrs *Stout* was drown'd; for I thought with my ſelf, what need could there be of me when the perſon was dead; but ſhe ſtill ſent; and then I went with Mr *Camlin*, and found a little ſwelling on the ſide of her neck, and ſhe was black on both ſides, and more particularly on the left ſide, and between her Breaſts up towards the Collar-bone, that was all I ſaw at that time, only a little mark upon one of her arms, and I think upon her left arm.

Mr *Jones*. How were her Ears?

*Dimſdale*. There was a ſettling of blood on both ſides the neck, that was all I ſaw at that time. Mr *Jones*. How did you think ſhe came by it?

*Dimſdale*. Truly I only gave an account juſt as I ſay now to the Gentlemen at that time, I ſaw no more of it at that time, but about ſix weeks after the Body was opened by Dr *Phillips* ——

Mr *Cowper*. My Lord, he is going to another piece of Evidence, and I would ask him ——

Mr *Jones*. Let us have done firſt; how was her Ears?

*Dimſdale*. There was a blackneſs on both ears, a ſettling of blood.

Mr *Jones*. Call *Sarah Kimpſon*

Mr Bar. *Hatſell*. Mr *Cowper*, now you may ask him any thing, they have done with him.

Mr *Cowper*. I would ask him whether he was not employed to view theſe particulars he mentions at the Coroners Inqueſt.

*Dimſdale*. I was deſired to look upon the face and arms, and breaſt, becauſe they ſaid there was a ſettling of blood there.

Mr

Mr *Cowper.* When you returned to the Coroners Inqueſt, what did you certify as your opinion?

*Dimſdale.* I did certify there was a ſettling of blood, but how it came I could not tell.

Mr *Cowper.* I ask you, Sir, did not you ſay it was no more than a common ſtagnation uſual in dead bodies? *Dimſdale.* I do not remember a word of it.

Mr *Cowper.* Sir, I would ask you, you ſay the ſpot was about the Collar-bone was it above or below? *Dimſdale.* From the Collar-bone downwards.

Mr *Cowper.* Had ſhe any Circle about her neck?

*Dimſdale.* No, not upon my oath.

Mr *Jones.* Swear *Sarah Kimpſon.* Did you obſerve this Mrs *Sarah Stout* when ſhe was ſtript how her body was? *Kimpſon.* Yes.

Mr *Jones.* Pray give an account of it.

*Kimpſon.* She had a great ſettlement of blood behind her left ear, as much as my hand will cover, and more, and ſhe had a ſettlement of blood under her Collar-bone.

Mr *Jones.* Did you ſee nothing about her neck?

*Kimpſon.* Nothing round her neck; on the ſide of her neck there was a mark.

Mr *Jones.* Was there any other part bruiſed.

*Kimpſon.* Only her left wriſt, and her body was very flat and lank.

Mr *Cowper.* Pray what day was it that you ſaw her?

*Kimpſon.* It was the day ſhe was found Mr *Cowper.* Was ſhe not laced?

*Kimpſon.* She was laced. Mr *Cowper.* Did you help to ſtrip her? *Kimpſon.* Yes, Sir.

*Mr Jones.* Did her body ſeem to be ſwell'd, or was there any water come from her?

*Kimpſon.* I did not obſerve the leaſt drop of water that appeared any way.

Mr *Jones.* Do you know what did purge from her?

*Kimpſon.* Nothing that I ſaw.

Mr *Jones.* Had not you a Child drowned there lately?

*Kimpſon.* Yes, about ten weeks ago. Mr *Jones.* And you found her?

*Kimpſon.* She was drowned at night, and we found her next morning.

Mr *Jones.* Where did you find her, at the top or at the bottom of the water

*Kimpſon.* At the bottom. *Mr Jones.* How was ſhe?

*Kimpſon.* She was ſwell'd as much as ſhe could hold.

*Mr Jones.* Were her eyes ſhut or open?

*Kimpſon.* Her eyes were ſhut, and the Child was laced as tight as the Coat could be.

*Mr Jones.* Was the Child opened? *Kimpſon.* Yes.

*Mr Jones* And what was in the body of the Child?

*Kimpſon.* 'Twas very full of water. *Mr Jones.* Call *Sarah Peppercorn.*

*Mr Cowper.* You ſay you viewed the Child, had it any ſettlement of blood?

*Kimpſon.* I ſaw none. *Mr Cowper.* And you viewed the body?

*Kimpſon.* Yes. (Then *Sarah Peppercorn* was ſworn.)

*Mr Jones.* Did you ſee the body of *Mrs Sarah Stout* after it was ſtript and laid out?

*Peppercorn.* I did Sir. *Mr Jones* In what condition did you find her?

*Peppercorn.* I did not ſee her till ſhe was brought home to her Mothers, and there was a rumour in the Town, that ſhe was with Child, and I was ſent for to give an account whether ſhe were or no, and I found ſhe was not, and I help'd to pull off her cloaths, and ſhe was very clear as any I ever knew, only had a black place on the ſide of her head, and in another place about her ear, but how it came I know not.

*Mr Jones.* Did you obſerve how her body was?

*Peppercorn.* Her body was very well as any Womans could be.

*Mr Jones.* Did your obſerve any water, or any ſuch thing come from her?

*Peppercorn.* No, *Mr Jones.* Was there any purging at her mouth or noſe?

*Peppercorn.* A little froth, as any body might have.

Mr *Cowper.* At what hour did you ſee her?

*Peppercorn.* I believe it might be 9 or 10 a Clock.

*Mr Bar. Hatſell.* In the morning?

*Peppercorn.* Yes, Sir, but I can't give a juſt account of the time.

Mr. Bar. *Hatſell.* What was you ſent for?

*Peppercorn.* To know if ſhe was with Child; for it was reported ſhe had drowned her ſelf becauſe ſhe was with Child, and ſo her mother deſired me to come to give an account that it was not ſo, and I found that it was not ſo.

Mr. Bar. *Hatſell.* You are a Midwife, are you not?

*Peppercorn.* Yes, my Lord, Then *Eliz. Huſſer* was ſworn.

Mr *Jones.* Had you the view of the body of Mrs *Sarah Stout* the day you heard ſhe was drowned?

*Huſſer.* She was not drowned, my Lord, I went thither and helped to pull off her cloaths.

Mr

Mr *Jones*. In what condition was her body?

*Husler*. Her body was very lank and thin, and no water appeared to be in it.

Mr *Jones*. Was there any water about her mouth and nose?

*Husler*. Not when I saw her.

Mr *Jones*. Did you mind her about her neck and head?

*Husler*. Yes, Yes, there was a settling of blood at the top of the Collar-bone, just here, and there was a settling of blood upon both her ears, most about her left ear.

Mr. *Jones*. Swear *Ann Pilkinton*, (which was done.) Did you see the body of Mrs *Stout* after she was drowned? *Pilkington*. Yes Sir.

Mr *Jones*. Pray in what condition was she when she was stript?

*Pilkington*. I was in the house when she was brought in dead, and old Mrs *Stout* desired me to help to lay her out, and taking a view of her, I did not at all perceive her body to be swelled.

Mr *Jones*. Was there any water came out upon the moving of it?

*Pilkington*. No, I did not perceive any; and by a further view, I saw a redness on the left side of her head, and her ear was black, and there was a little mark upon her breast on the left side. *Mr Jones*. What colour was it of?

*Pilkington*. It seem'd reddish and blackish, as to colour it was like a settling of blood; I can't tell how to make it out very well.

*Mr Cowper*. Had she any circle round about her neck?

*Pilkington*. No, not that I see.

Mr *Cowper*. Pray did not you make some deposition to that purpose, that you know of?

*Pilkington*. Sir, I never did, and dare not do it.

Mr *Cowper*. It was read against me in the *Kings Bench*, and I will prove it, was not Mr *Meade* with you at the time of your examination?

*Pilkington*. Yes.

*Mr Cowper*. Did not he put in some words, and what were they?

*Pilkington*. Not that I know of.

*Mr Cowper*. But you never swore so, upon your Oath?

*Pilkington*. No, I don't believe I did, if I did it was ignorantly.

*Mr Jones*. Here is her examination, it is cross her neck.

*Mr Cowper*. Was Mr *Young* of *Hertford*, the Constable, present when you were examined?

*Pilkington*. Yes he was so. The next day Mrs *Stout* sent for me again, to put on the Daughters Shrowd, and I was one that helped to draw the sheet away, and there was not one drop of water come from her, and I laid a cloath under her Chin, when I help'd her into the Coffin, but I did see the least moisture come from her.

*Mr Cowper*. What day was it, that you put her into the Coffin?

*Pilkington*. The next day after she was dead.

*Mr Cowper*. Do you know nothing of her being convey'd into the Barn?

*Pilkington*. I hapned to be in the Barn, Mrs *Stout* desired me to go with her, and she was brought up in an indecent manner, and I put a sheet about her. I was in Mrs *Stout's* house before her daughter was brought thither.

Mr. *Jones*. Call Dr *Coatsworth*, Dr *Nailer*, Dr *Woodhouse*, Dr *Bide*.

Mr *Coatsworth* was sworn.

Mr *Jones*. Pray, Doctor, had you a view of the body of Mrs *Stout*?

*Coatsworth*. Yes, I had, Sir, I am a Surgeon.

Mr *Jones*. Pray give an account of it, and what your opinion was how she came by her death.

*Coatsworth*. My Lord, in *April* last I was sent for by Dr *Philips*, to come to *Hartford* to see the body of *Mrs Stout* opened, who had been 6 weeks buried, and he told me that there was a suspicion she was murthered, and that her Relations were willing to have her taken up and opened. I came down, I think on the 27th of *April*, and lay at Mrs *Stout's* house that night, and by her discourse I understood she wanted to be satisfied, whether her Daughter was with Child. I told her it was my opinion we should find the parts contained in the *Abdomen* so rotten, that it would be impossible to discover the *Uterus* from the other parts; however, if she would have her opened, I could not discover whether she was with Chi'd unless the Infant was become boney. Her face and neck to her shoulders appeared black and so much corrupted, that we were unwilling to proceed any further; but however her mother would have it done, and so we did open her, and as soon as she was opened we perceived the Stomach and Guts were as full of wind, as if they had been blown with a pair of Bellows; we put her Guts aside, and came to the *Uterus*, and Dr *Philips* shewed it us in his hand, and afterwards cut it out and laid it on the Table, and opened it, and we saw into the cavity of it, and if there had been any thing there as minute as a hair, we might have seen it, but it was perfectly free and empty; and after that he

put

put the Inteſtines into their places, and we bid him open the Stomach, and it was opened with an Inciſion Knife, and it ſunk flat, and let out wind, but no water; afterwards we opened the Breaſt and Lobes of the Lungs, and there was no water; then we look'd on each ſide, and took up the Lobes of the Lungs too, to ſee if there was no Water in the Diaphragm, and there was none, but all dry. Then I remember, I ſaid this woman could not be drowned, for if ſhe had taken in water, the water muſt have rotted all the Guts; that was the conſtruction I made of it then, but for any marks about her head and neck, it was impoſſible for us to diſcover it becauſe they were ſo rotten.

Mr *Cowper*. You ſay, this inſpection was made about ſix weeks after ſhe was dead?

*Coatſworth*. It was made on the 28th of *April*.

Mr *Cowper*. She was drowned on the 13th of *March*.

Mr. *Jones*. Did you make an inciſion into thoſe parts of the neck and head.

*Coatſworth*. No, I told Mrs *Stout* and her Son, if you imagine the Skull to be injur'd, I will open the Head, for if the ſcalp be never ſo rotten, yet if the Skull has ſuffered any impreſſion I ſhall diſcover it, they ſaid, they did not ſuſpect a broken Skull in the caſe, and ſo we did not examine it.

Mr *Jones*. But all the other parts were ſound?

*Coatſworth*. Yes ſound to a miracle, for I did not imagine we could find them ſo.

Mr *Jones*. Call *John Dimſdale*.

Mr *Cowper*. My Lord, I would know, and I deſire to be heard to this point; I think where the Coroners Inqueſt have view'd the body, and the relations have been heard, and the Body buried, that it is not to be ſtirr'd afterwards for any private inſpection of parties, that intend to make themſelves Proſecutors, but if it is to be taken up, it is to be done by ſome legal authority, for if it ſhould be otherwiſe, any Gentleman may be eaſily trepann'd, for inſtance, if they ſhould have thought fit after the Coroners View to have broken the Skull into a hundred pieces. This was a private view altogether among themſelves, certainly if they intended to have proſecuted me, or any other Gentleman upon this Evidence, they ought to have given us notice, that we might have had ſome Surgeons amongſt them, to ſuper-intend their proceedings. My Lord, with ſubmiſſion, this ought not to be given in Evidence.

Mr Bar. *Hatſell*. Mr *Cowper* I think you are not in earneſt, there is no colour for this objection, if they did take up the body without notice, why ſhould not that be Evidence, unleſs you think they had a deſign to forſwear themſelves.

Mr *Cowper*. Had you a *Melius Inquirendum*, or any lawful warrant for making this inſpection?

*Coatſworth*. No there was not.

Mr Bar. *Hatſell*. Suppoſe they did an ill thing in taking up the body without ſome order, though I don't know any more ill in taking up that body than any other; but however, is that any reaſon why we ſhould not hear this evidence.

*Coatſworth*. Mr *Cambiin*, Sir *William Cowpers* Surgeon was there by.

Mr *Jones*. Call Mr *Dimſdale* Senior. (who was ſworn) Had you a view of the body after it was taken up?

*Dimſdale*. Yes.

Mr *Jones*. Pray give your opinion of it?

*Dimſdale*. On the 28th of *April*, as I remember, I was ſent for down by Mrs *Stout*, to view the body of her Daughter. Her Daughter was juſt taken out of the Ground but not opened, they had juſt toucht the body, but not opened the Skin when I came there ——

Mr Bar. *Hatſell*. Are you a Surgeon?

*Dimſdale*. Yes, my Lord. Finding her head ſo much mortified down to her neck, we thought all the parts were ſeized, and had a conſultation whether we ſhould open her or not, but Mrs *Stout* was very much enraged, becauſe a great

ſcandal had been raiſed, that her Daughter was with Child, and ſhe ſaid, ſhe would have her opened to clear her reputation; with that we opened her, and found her body as ſound as any Fleſh could be, no manner of putrifaction in her Lungs or any other part, but ſhe was very full of Wind. We ſearched the Stomach and the Thorax, and found not one drop of water about it, I was more curious than the reſt, and turn'd away her Legs, to ſee if the Coffin was ſoil'd, and the Coffin and Shrowd were not wet. Her Uterus was taken out, and I ſaw no manner of ſign of Conception. After this we had a conſultation to conſider, whether ſhe was drown'd or not drowned, and we were all of Opinion that ſhe was not drowned, only Mr *Camlin* deſired he might be excuſed from giving his opinion, whether ſhe was drowned or not, but all the reſt of us did give our opinions, that ſhe was not drown'd.

Mr *Jones*. Give your reaſons, why you believ'd ſhe was not drown'd.

*Dimſdale*. My reaſon was this, becauſe we found no water in her, her inteſtines were not putrified, for if there had been water in her, that would have cauſed a fermentation, and that would have rotted the Lungs and Guts.

Mr Bar. *Hatſell*. Could you tell ſo many weeks after whether ſhe was drowned or no?

*Dimſdale*. Yes, my Lord, for this reaſon, for if ſhe had been drowned, there had been ſome ſign of water. and if there had been a pint of water it would have rotted her Lights and her Guts, and that is done in a weeks time by fermentation.

Mr *Cowper*. Sir I deſire to know, whether according to reaſon and your skill after ſix weeks time, it's poſſible, there ſhould be water in the Thorax.

*Dimſdale*. I do believe there may be ſome, for it can't come out after the body is dead, but by putrifaction, and there was no putrifaction, but it was firm and ſound.

Mr Bar. *Hatſell*. What parts would have been putrified by the water?

*Dimſdale*. The Lungs and Bowels.

Mr Bar. *Hatſell*. And they were firm?

*Dimſdale*. They were, and if there had been water, they would have been putrified.

Mr *Jones*. Call *John Dimſdale*, Junior.

*Juryman*. Was her Navel ſtarted?

*Dimſdale* Sen. No I never ſaw ſuch a body body in my Life.

Mr *Cowper*. Did you ever ſee a body that was drowned opened 6 weeks after?

*Dimſdale* Sen. No never. If a body be drown'd a fortnight, the bowels will be ſo rotten, there will be no coming near it, and I took particular notice, and I did not ſee one drop of water.

Mr Bar. *Hatſell*. Was the Coffin cloſe?

*Dimſdale* Sen. Yes it was cloſe and dry as any board whatſoever, and all the parts ſound, but the head and neck, and left arm.

Mr *Jones*. What do you think could be the reaſon of that?

*Dimſdale* Sen. The left arm was rottener than the other, the neck was rotten before.

Mr *Jones*. What did you take to be the cauſe of it?

*Dimſdale* Sen. I can't judge of that.

Call *John Dimſdale*, Junior. (who was ſworn.)

*Dimſdale* Jun. My Lord, the body was opened before I came to ſee it, and they were drawing up an Affidavit, that there was no water in the body, and they deſired me to ſign it, but I deſired firſt to look into the body, and I did look into it, and turn'd the Inteſtines aſide, and there was no water in it, but the head from the neck was very much putrified.

Mr *Jones*. Do you believe ſhe was drown'd?

*Dimſdale* Jun. No, I believe not.

Mr *Jones*. Did you open the Child that was drowned? What difference was there between the body of that Child and this?

*Dimſdale* Jun. The Child was extreamly ſwell'd in the Belly and Stomach, and had abundance of water in it.

Mr *Jones*. Was the Child lac'd that you opened?

*Dimſdale* Jun. It was laid upon the Table before I came.

Mr *Cowper*. How long was it before the Child was opened?

*Dimſdale* Jun. It was drowned in the afternoon, and opened the next morning.

Mr *Cowper*. You ſaid, Sir, you was ask'd to ſign the Affidavit before you ſaw the body, and you were honeſt, and would ſee the body firſt, pray who askt you?

*Dimſdale* Jun. All of them did.

Mr *Cowper*. Who in particular, if you pleaſe name them?

*Dimſdale* Jun. Mr *Coatſworth*, Mr *Philips*, Mr *Camlin*, *&c.* they asked me to ſet my hand to it, becauſe they thought I had ſeen it before.

Then Dr *Dimſdale* was ſworn.

Mr *Jones*. Mr *Robert Dimſdale* was you at the opening of this body?

Dr *Dimſdale*. I came after it was opened, my Brother and I came together.

Mr *Jones*. What profeſſion are you of, a Phyſician?

Dr *Dimſdale*. Yes, when the body was taken up, they deſired us to be there, to inſpect the body, but before we came it hapned they had opened the body, and were ſetting their hands to a Paper, a ſort of Affidavit, and when I came in, they would have had us ſet our hands, but we would not, till we had look'd upon the body, and went and laid it open again, and we did not find the leaſt drop of water neither in the Thorax nor Abdomen.

*Mr Cowper*. Is it poſſible there ſhould be water in the Thorax, according to your skill?

Dr *Dimſdale*. Yes we did think there would have been, if ſhe had been drown'd.

*Mr Bar. Hatſell*. Could you expect to find it, ſo long as ſix weeks after.

Dr *Dimſdale*. We ſhould have expected that or a putrifaction, but we found no putrifaction, neither in the Bowels nor Inteſtines, but only upon her Head and Shoulders, and one Arm.

*Mr Cowper*. Pray by what paſſage does the water go into the Thorax.

Dr *Dimſdale*. 'Twill be very difficult for me to deſcribe the manner here, but we ſhould have found ſome in the Stomach and Inteſtines.

Mr *Cowper*. Pray Sir, how ſhould it go into the Thorax?

Dr *Dimſdale*. By the Lymphaduct, if carried by any means.

Mr *Cowper*. When the party is dead, can any water paſs into any part of the body?

Dr *Dimſdale*. We opened the Abdomen of the Child that was drowned, and found in the ſeveral cavities abundance of water.

*Mr Jones*. When a perſon is dead can they receive any water after?

Dr *Dimſdale*. No, for all the parts are cloſ'd and contracted.

*Mr Cowper*. Pray if a dead body be put into the water, will not the water come into the Windpipe?

Dr *Dimſdale*. I queſtion whether it will or no.

*Mr Jones*. Was her mouth ſhut?

Dr *Dimſdale*. She was putrified about the head and ſhoulders and one arm, that I ſaw was putrified, it was the left arm as I take it.

*Mr Jones*. What is your opinion as to her death?

Dr *Dimſdale* I believe if ſhe had been drowned, there would have been a putrifaction of the Abdomen firſt, and it was her extream parts, her arm, her head and her breaſt, that was putrified, but her Bowels ſeem'd firm and ſound.

*Mr Jones*. Then you don't think her death was by drowning?

*Dimſdale*. No.

*Mr Cowper*. Pray did not you give ſome Certificate or Paper, declaring the death of this Gentlewoman, before you ſaw the body at all?

Dr

Dr *Dimſdale*. No I did not.

*Mr Cowper*. Sir, I would ask you, was not you angry, that Mr *Comlin* would not join with you in opinion?

Dr *Dimſdale*. No.

*Mr Cowper*. Pray did not you tell him, that you were a graduate Phyſician and was angry he would not join with you?

Dr *Dimſdale*. Suppoſe I did.

*Mr Bar. Hatſell*. But did you do ſo or no?

Dr *Dimſdale*. Yes, my Lord, we had ſome words about it.

*Mr Jones*. Swear Dr *Coatſworth*. (which was done) Now, my Lord, we call theſe Gentlemen that are Doctors of ſkill, to know their opinion of them, that are found floating without water in them, how they come by their death.

Dr *Coatſworth*. I have not ſeen many drowned bodies to make obſervation upon, but it is my opinion, that every body that is drowned is ſuffocated by water paſſing down the Wind-pipe into the Lungs upon inſpiration, and at the ſame time, the water preſſing upon the Gullet, there will be a neceſſity of ſwallowing a great part of it into the Stomach: I have been in danger of being drowned my ſelf and I was forced to ſwallow a great quantity of water. If a perſon was drowned and taken out immediately, as ſoon as the ſuffocation was effected, I ſhould not wonder, if there were but little water in the Stomach and Guts, but if it lay in the water ſeveral hours, it muſt be very ſtrange if the belly ſhould not be full of water, but I will not ſay, it is impoſſible it ſhould be otherwiſe.

*Mr Cowper*. I deſire to know whether this Gentleman attempted to drown himſelf, or was in danger of being drowning by accident.

Dr *Coatſworth*. It was by accident, I was paſſing up the Ship ſide, and took hold of a looſe Rope inſtead of the entring Rope, which failing me I fell into the water.

*Mr Cowper*. But you ſtruggled to ſave your ſelf from drowning?

Dr *Coatſworth*. I did ſo, I have ſeen ſeveral perſons that have been drowned, and they have lain ſeveral days, until by a fermentation, they have been rais'd, but I never made my obſervations of any perſons, that have been drowned above ſix hours.

*Mr Jones*. Did you ever hear of any perſons that as ſoon as they were drowned had ſwam above water.

Dr *Coatſworth* I have not known ſuch a Caſe.

*Mr Cowper*. Did you ever know, Sir, a body that was otherwiſe killed to float upon the water?

Dr *Coatſworth*. I never made any Obſervation of that.

*Mr Bar. Hatſell*. Dr *Brown* has a learned diſcourſe in his Vulgar Errors upon this ſubject, concerning the floating of dead bodies, I don't underſtand it my ſelf, but he hath a whole Chapter about it.

Then Dr *Nailor* was ſworn.

*Mr Jones*. We ask you the ſame queſtion that Dr *Coatſworth* was asked, what is your opinion of dead bodies, if a body be drowned will it have water in it or not.

Dr *Nailor*. My Lord, I am of opinion, that it will have a quantity if it be drowned, but if there be no water in the body, I believe that the perſon was dead before it was put into the water.

*Mr Cowper*. I would ask the Doctor one queſtion, my Lord, whether he was not a conſtant Voter againſt the Intereſt of our Family in this Corporation?

Dr *Nailor*. I never did come to give a Vote, but Sir *William Cowper* or his Son oppos'd me, and ſaid, I had no right to Vote.

*Mr Cowper*. I would have ask'd the ſame queſtion of the *Dimſdales*, if I had membred it, they are of another party, as this Gentleman is.

*Mr Bar. Hatſell*. It is not at all material as they are Witneſſ

*Mr Jones*. Then call Dr *Babington*. (who was ſworn)

*Mr Jones*. Pray what is your opinion of this matter?

Mr. *Babington.* I am of Opinion that all Bodies that go into the Water alive, and are drowned, have Water in them, and ſink as ſoon as they are drowned, and don't riſe ſo ſoon as this Gentlewoman did. Mr. *Cowper.* Pray what is your Profeſſion Sir?

Mr. *Babington.* I am a Chirurgeon. Mr. *Cowper.* Becauſe Mr. *Jones* call'd you Doctor.

Mr. Bar. *Hatſell.* Did you ever ſee any Bodies drowned?

Mr. *Babington.* Yes, my Lord, I once had a Gentlewoman a Patient that was half an hour under Water, and ſhe liv'd ſeveral hours after, and in all that time ſhe diſcharg'd a great quantity of Water; I never heard of any that went alive into the Water, and were drowned, that floated ſo ſoon as this Gentlewoman did, I have heard ſo from Phyſicians.

Mr. Bar. *Hatſell.* I have heard ſo too, and that they are forc'd to tye a Bullet to dead Bodies thrown into the Sea that they might not riſe again

Mr. *Cowper.* The reaſon of that is, that they ſhould not riſe again, not that they will not ſink without it; but I would ask Mr. *Babington* whether the Gentlewoman he ſpeaks of went into the Water Voluntarily, or fell in by Accident.

*Mr. Babington.* By Accident, but I believe that don't alter the Caſe.

Mr. *Cowper.* When a Perſon is caſually drowned, there may be water found in them, but what is your Opinion in the Caſe of a Perſon that goes into the water with a reſolution to drown himſelf?

*Will. Bab.* My Opinion is, that on whatever deſign a Perſon goes into the water with, before he is half drowned he forgets his Errand.

*Mr. Jones.* Swear Dr. *Burnet* (which was done.)

Dr. You hear what is the Matter in queſtion, what is your Opinion of it?

Dr. *Burnet.* My Lord, I think that if any Perſon fall into the Water by Accident, or throws himſelf in, the Body will receive Water as long as it is alive, and there are Endeavours for Reſpiration, and after theſe Endeavours are over, there is no Water will come in, for all the Parts are cloſ'd; ſo conſequently there muſt be Water in all probability found in her. *Mr. Jones.* What do they ſwim or ſink?

Dr. *Burnet.* They ſink, I never ſaw a Perſon drowned taken up without Water in my life, but I have ſeen ſeveral full of Water.

*Mr. Cowper.* I think you ſay when the Faculty of Reſpiration ceaſes, no Water comes in. Dr. *Burnet.* Yes, that is my Opinion.

Mr. *Cowper.* But the Water does paſs into them while there are Endeavours for Reſpiration? Dr. *Burnet.* Yes, that is my Opinion.

*Then Dr.* Woodhouſe *was Sworn.*

*Mr. Jones.* Dr. What is your Opinion of this Matter?

Dr. *Woodhouſe.* My Opinion is, that no Perſon is ſuffocated by Water, but he muſt have a great deal of Water within him, a great deal of Water in the Stomach, and ſome in the Lungs.

*Mr. Cowper.* Pray, Sir, did you ever open any of theſe Bodies?

Dr. *Woodhouſe.* Yes, I have opened a Child my ſelf that had a great quantity of Water in it.

*Mr. Cowper.* Did you find any quantity of Water in the Throat?

Dr. *Woodhouſe.* There was ſome, but a little, but a great deal in the Stomach.

*Mr. Cowper.* Pray which way can it paſs into the Thorax?

Dr. *Woodhouſe.* While the Perſon is ſtrugling for Reſpiration, there may be a Relaxation of, and the Perſon muſt ſuck in Water as well as Air, and ſome Water may get into the Windpipe, and ſo enter into the Lungs.

*Mr. Cowper.* Is there a Paſſage from the Lungs to the Thorax?

Dr. *Woodhouſe* The Thorax is the Veſſel wherein the Lungs lie, the Lungs in the Thorax; the Breaſt is the Cavity were the Lungs lie, the Wind pipe is the Conveyance to the Lungs and a Perſon in Reſpiration takes down ſome Water there, but no doubt the greater quantity will be in the Stomach.

Mr. Bar *Hatſell.* Pray let me ask you a Queſtion, ſome of the Witneſſes ſaid, that if a Perſon be drowned and lies dead a great while, the Inwards will be putrified, what is your Opinion of it?

Dr. *Woodhouſe.* No doubt, my Lord, where Water gets into the Stomach, or wherever it is, it will putrifie very ſoon.

Mr. *Jones.* Call *Edward Clement* (who was ſworn) are not you a Seaman?

*E. Clement.* Yes, Sir.

Mr. *Jones.* How long have you been ſo?

*E. Clement.* Man, I have writ my ſelf but 6 years, but I have uſed the Sea 9 or 10 Years.

Mr. *Jones.* Have you known of any Men that have been kill'd, and thrown into the Sea, or who have fallen in and been drowned; pray tell us the difference as to their ſwimming and ſinking.

*E. Clement.* In the Year 89, or 90, in *Beachey* Fight, I ſaw ſeveral thrown over-board, during the Engagement, but one particularly I took notice of, that was my Friend, and kill'd by my ſide, I ſaw him ſwim for a conſiderable diſtance from the Ship, and a Ship coming under our Sterh caus'd me to looſe ſight of him, but I ſaw ſeveral dead Bodies floating at the ſame time; likewiſe in another Engagement, where a Man had both his Legs ſhot off, and died inſtantly, they threw over his Legs, though they ſunk, I ſaw his Body float. Likewiſe I have ſeen ſeveral Men who have died natural Deaths at Sea, they have when they have been dead had a conſiderable weight of Ballaſt and Shot made faſt to them, and ſo throw them over-board; becauſe we hold it for a general Rule that all Men Swim if they be dead before they come into the Water, and on the contrary I have ſeen Men when they have been drowned, that they have ſunk as ſoon as the Breath was out of their Bodies, and I could ſee no more of them. For Inſtance, a Man fell out of the *Cornwal*, and ſunk down to rights, and ſeven Days afterwards we weighed Anchor, and he was brought up graſping his Arms about the Cable, and we have obſerved in ſeveral Caſes, that where Men fall over-board, as ſoon as their Breath is out of their Bodies they ſink downright, and on the contrary where a dead Body is thrown over-board without weight it will ſwim.

Mr. *Jones.* You have been in a Fight, how do Bodies float after a Battle?

*E. Clement.* Men float with their Heads juſt down, and the ſmall of their Back and Buttocks upwards, I have ſeen a great number of them, ſome hundreds in *Beachey head* Fight, when we Engag'd the *French*, I was in the old *Cambridge*, at that time I ſaw ſeveral (what number I will not be poſitive, but they were a great number, I can't gueſs to a Score) that did really Swim, and I could ſee them float for a conſiderable diſtance.

Mr. *Jones.* Have you ſeen a Shipwreck?

*E. Clement.* Yes; the *Coronation* in *September* 1691. I was then belonging to the *Dutcheſs*, under the Command of Captain *Clement*, we look'd out and ſee them taking down their Maſts, we ſaw the Men walking up and down on the right ſide, and the Ship ſunk down, and they ſwam up and down like a ſhoal of Fiſh one after another, and I ſee them hover one upon another, and ſee them drop away by ſcores at a time, and there was an account of about 19 that ſav'd themſelves, ſome by Boats, and others by Swimming; but there were no more ſav'd out of the Ships Complement, which was between five and ſix hundred, and the reſt I ſaw ſink downright, ſome 20 at a time. There was a Fiſherman brought our Captain word, that in laying in of his Nets he drew up ſome Men cloſe under the Rocks that were drowned belonging to the *Coronation*, we generally throw in Bags of Ballaſt with them.

Mr. *Jones* I ſuppoſe all Men that are drowned you ſink them with Weights.

*E. Clement.* Formerly Shot was allowed for that purpoſe, there us'd to be Threeſcore weight of Iron, but now 'tis a Bag of Ballaſt that is made faſt to them.

Mr. *Jones.* Then you take it for a certain Rule that thoſe that are drowned ſink, but thoſe that are thrown over-board do not.

Mr. *Clement.* Yes, otherwiſe why ſhould the Government be at that vaſt Charge to allow threeſcore or fourſcore weight of Iron to ſink every Man, but only that their ſwimming about ſhould not be a diſencouragement to others.

*Then* Richard Gin *was Sworn.*

Mr. *Jones.* You hear the Queſtion, pray what do you ſay to it?

*R. Gin.* I was at Sea a great while, and all the Men that I ſee turn'd over-board had a great weight at their Heels to ſink them.

Mr. *Jones.* Then will they ſwim otherwiſe?

*R. Gin.* So they ſay.

Mr. *Jones.* Are you a Seaman?

*R. Gin.* I went againſt my will in two Fights.

Mr. *Jones.* Then Gentlemen of the Jury, I hope we have given you Satisfaction that Mrs. *Stout* did not drown her ſelf, but was carried into the Water after ſhe was killed. That was the firſt Queſtion, for if it be true that all dead Bodies when they are put into the Water do ſwim, and the Bodies that go alive into the Water and are drowned do ſink. This is ſufficient Evidence that ſhe came by her Death not by drowning, but ſome other way. Now, my Lord, as to the ſecond Matter, and that is to give ſuch Evidence as we have again theſe Gentlemen at the Bar, Mr. *Cowper* it appears was the laſt Man that any one can give an account of was in her Company. What became of her afterwards, or where they went no body can tell; but the other Witneſſes have given you Evi-

dence

dence that he was the laſt Man that was with her. I ſhall only give this further Evidence as to Mr. *Cowper*, That notwithſtanding all the Civility and Kindneſſes that paſs'd between him and this Family, when the bruit and noiſe of this Fact was ſpread abroad, Mr. *Cowper* did not come to conſider and conſult with old Mrs. *Stout* what was to be done; but he took no manner of notice of it, and the next day he rode out of Town, without further taking notice of it.

*Call* George Aldrig, *and* John Archer.

John Archer *was ſworn.*

Mr. *Jones*. Do you know any thing of *Mr. Cowper's* going out of Town after this Buſineſs of Mrs. *Stout's* being drowned.

*J. Archer*. Yes, I did ſee him go out of Town afterwards.

Mr. *Jones*. Which way did he go?

*J. Archer*. He went the back way from the Glove, I ſuppoſe he came that way.

Mr. *Cowper*. What day was it I went? Is it not the way that I us'd to go when I go the Circuit into *Eſſex*.

*J. Archer*. Yes, I believe ſo.

Mr. *Cowper*. I Lodg'd at Mr. *Bareſoot's*, and he has a back Door to the Glove, where my Horſe was, and I went the direct way into *Eſſex*, and it was *Wedneſday* morning: What day was it you ſee me go?

*J. Archer*. It was on the *Wedneſday* morning.

Mr. *Cowper*. That was the very day I went into *Eſſex*.

*Then* George Aldridg *was Sworn.*

Mr. *Jones*. When did *Mr. Cowper* go out of Town the laſt Aſſizes?

*G. Aldridg*. On *Wedneſday*.

*Mr. Jones*. Which way did he go?

*G. Aldridg*. He went the way to *Chelmsford*.

*Mr. Jones*. Did you not fetch his Horſe from *Stout's*?

*G. Aldridg*. Yes, Sir.

Mr. *Jones*. How often did you go for it?

*G. Aldridg*. Three times.

Mr. *Jones*. When?

*G. Aldridg*. On *Tueſday* night I ſent once, and went twice my ſelf, the firſt time there was no body at home to deliver the Horſe, ſo I went to Mr. *Stout's*, and ask'd him about the Horſe, and he ſaid he could not deliver him 'till the Maid went home, and then I went about 11 of the Clock and had the Horſe.

Mr. Bar. *Hatſell*. Was it a 11 at night?

*G. Aldridg*. Yes, my Lord.

*Mr. Cowper*. When I ſent you to fetch my Horſe; what Directions did I give you?

*G. Aldridg*. You gave me Directions to fetch your Horſe, becauſe you ſaid you ſhould have occaſion to go out next morning betimes with the Judge.

*Mr. Cowper*. The reaſon I ſent for my Horſe, was this, when I heard ſhe had drowned her ſelf, I think it concern'd me in Prudence to ſend a common Hoſtler for him, for fear the Lord of the Manor ſhould ſieze all that was there as forfeited.

*Mr.* Bar. *Hatſell*. There was no danger of that, for ſhe was found *non compos mentis*.

*Mr. Cowper*. No, my Lord, I ſent before the Verdict.

*Mr. Jones*. It ſeems you did not think fit to go and take Horſe there your ſelf, though you put your Horſe there?

Now, my Lord, we will go on and give the other Evidence that we opened concerning theſe 3 other Gentlemen that came to Town, two of them took Lodgings at *Gurrey's* at 5 in the Afternoon, but did not come in till between 11 and 12, and then they brought another in with them, and though he had been in Town 5 or 6 hours his Feet were wet and his Shoes, and his Head was of a reaky Sweat, he had been at ſome hard Labour I believe, and not drinking himſelf into ſuch a Sweat.

*Call* John Gurrey, Martha Gurrey, and Eliz. Gurrey.

John Gurry *was Sworn.*

*Mr. Jones*. Do you know any of the Gentlemen at the Bar?

*J. Gurrey*. Yes.

Mr. *Jones*. Name who you know?

*J. Gurrey*. There is Mr. *Stevens*, *Mr. Rogers*, and *Mr. Marſon*.

Mr. *Jones*. Pray do you remember when they took Lodgings at your Houſe?

*J. Gurrey*. The laſt Aſſizes, when they firſt came there was only Mr. *Stevens* and Mr *Rogers*.

Mr. *Jones*. At what time did they take it?

*J. Gurrey*. I was at Church and can't tell that, they hir'd the Lodging of my Wife.

Mr. *Jones*. What can you ſay more?

*J. Gurrey*.

*J. Gurrey.* I was in at night when they came, there came 3 of them at 11 at night, whereof Mr. *Marſon* was the third Perſon, and he ſaid he was deſtitute of a Lodging, and he ask'd for a ſpare Bed, my Wife told them ſhe had one, but had lett it, whereupon Mr. *Stevens* and *Mr. Rogers* ſaid he ſhould Lodge with them, ſo they went up altogether, and they call'd for a Fire to be kindled, and ask'd for the Landlord, which was I, and they askd me to fetch a Bottle of Wine, and I told them I would fetch a Quart, which I did, and then they ask'd me to ſit down and drink with them, which I did, and then they ask'd me if one *Mrs. Sarah Stout* did not live in Town, and whether ſhe was a Fortune, I ſaid yes, then they ſaid they did not know how to come to the ſight of her, and I ſaid I would ſhow them her to morrow morning, not queſtioning but I might ſee her ſome time as ſhe was coming down the Street; ſo they ſaid they would go to ſee her. Mr. *Rogers*, and *Mr. Stevens* charg'd *Mr. Marſon* with being her old Sweatheart, ſaith Mr. *Marſon*, ſhe hath thrown me off, but a Friend of mine will be even with her by this time.

*Mr.* Bar. *Hatſell.* What a Clock was it then?

*J. Gurrey.* I reckon a 11 of the Clock when they came in.

Mr. Bar. *Hatſell.* Did you obſerve in what Condition Mr. *Marſon* was in?

*J. Gurrey.* I did not obſerve, only that he was hot and put by his Wig, I ſee his Head was wet, and he ſaid he was juſt come from *London*, and that made him in ſuch a heat.

Mr. *Jones.* Had he Shooes or Boots on?

*J. Gurrey.* I did not obſerve that.

Mr. *Jones.* What did they do the next day?

*J. Gurrey.* The next morning I heard this Party was in the Water, I ſat up all night, and was fain to wait 'till my Daughter came down to look after the Shop, and then I went to ſee her, and ſhe was remov'd into the Barn, and they were wiping her Face, cloſing her Eyes, and putting up her Jaws, and as I came back theſe Perſons were walking, and I met Mr. *Marſon*, and *Mr. Stevens*, and told them the News. ſaid I, this Perſon is come to a ſad Accident, ſay they, ſo we hear, but nevertheleſs we will be as good as our word, and go and ſee her, I went with them and overtook Mr. *Rogers*, and *Marſon* ſaid we are a going to ſee Mrs. *Stout*, O Landlord, ſaid *Rogers*, you may take up that Rogue (pointing at Mr. *Marſon*) for what he ſaid laſt night, but I did not think they ſpeaking ſo jocularly that there was any Suſpicion of their being concerned in the Murder. A ſecond time I went, the Barn door was lock'd, I knock'd, and they opened it and let us in, and they uncover'd her Face to let me ſee her, and I touch'd her, and looking about for them they were gone, and I can't ſay they ſee her or touch'd her, then *Mr. Marſon* and they were conſulting how to ſend a great Coat to *London*, and I directed them to a Coachman at the *Bell inn*, but I did not hear he went to enquire after the Coachman, then they went to your Lordſhip's Chamber, and I went home, and about 11 of the Clock I ſaw Mr. *Marſon*, and Mr. *Stevens* coming down with *Mr. Spencer Cowper.*

Mr. *Marſon.* I did not go out that Night after I came in.

Mr. *Jones.* No, we agree that, did you ſee Mr. *Cowper* and theſe Gentlemen together?

*J. Gurrey.* Only at a 11 of the Clock on *Tueſday* noon, *Mr. Cowper*, *Mr. Marſon*, *Mr. Stevens* were coming down to the *Market* place.

*Mr. Jones.* Did not they take their leave of you when they went away from you that Forenoon?

*J. Gurrey.* No, only in the morning they told me they would ſend me word at Noon if they intended to lodge there.

*Mr. Marſon.* I deſire to know of *Mr. Gurrey*, if his Siſter was not in the Room when came in.

*J. Gurrey.* She was in our Houſe that Day, but whether when they came, I can't tell.

*Mr. Cowper.* Pray have not you had ſome Diſcourſe with your Siſter the Widow *Davis*, concerning ſome Suſpicion that you had of *Sarah Walker*, that hath been produc'd as a Witneſs?

*J. Gurrey.* I don't remember any ſuch.

Mr. *Cowper.* Then did not you ſay theſe words? We muſt not concern our ſelves with *Sarah Walker*, for ſhe is the only Witneſs againſt the *Cowpers.*

*J. Gurrey.* I can't remember any ſuch thing.

Mr. Bar. *Hatſell.* You muſt anſwer according to the beſt of what you remember, if you ſay you have forgotten when you have not, you are forſworn.

Mr. *Cowper.* If your Lordſhip pleaſes to give leave to Mr. *Gurrey* to recollect himſelf. I ask him whether he did not talk with his Siſter *Davis* about ſome ſuſpicion Wife and he had about *Sarah Walker* the maid Servant of the deceaſed?

*J. Gurrey.*

*J. Gurrey.* I believe there might be ſome talk of a Perſon that was ſeen to go into the Church-yard at ſome diſtance with *Sarah Walker.*

Mr. *Cowper.* Did your Wife ſay that ſhe did ſuſpect that Perſon?

*J. Gurrey.* Yes.

Mr. *Cowper.* Did your Wife ſay they behaved themſelves ſtrangely, and that ſhe would have perſwaded the Widow *Blewit* to have watched her?

*J. Gurrey.* There was ſomething of that.

Mr. *Cowper.* Was there not ſome ſuch Words that they muſt not meddle with *Sarah Walker?* for ſhe is the Witneſs againſt the *Cowpers.*

*J. Gurrey.* I ſaid do not concern your ſelf with *Sarah Walker* for fear of taking off her Evidence.

Mr. *Cowper.* Pray did not the Widow *Davis* warm the Sheets for theſe Gentlemen.

*J. Gurrey.* She was with my Wife, but I can't ſay whether ſhe warmed the Sheets.

Mr. *Cowper.* When they came home had you any Lodgers that wanted to come home? had not you one *Gape?*

*J. Gurrey.* I can't ſay whether he was in before or after them.

Mr. *Cowper.* Did not you ſay to your Siſter *Davis?* Now theſe Gentlemen are in Bed, if Mr. *Gape* would come home our Family would be quiet.

*J. Gurrey.* I do not remember that.

Mr. *Cowper.* Pray did not you go to look for Mr. *Gape?*

*J. Gurrey.* Yes, I went to *Hockleys.*

Mr. *Cowper.* Who did you imploy to ſpeak to Mr. *Gape* to come home?

*J. Gurrey.* Mrs. *Hockley.*

Mr. *Cowper.* When you came home to your own Houſe, and after you had been at *Hockleys* to ſpeak with Mr. *Gape*, what account did you give of the time of Night, and other particulars?

J. *Gurrey.* I gave no account of the time. Mr. *Cowper.* Not to *Mrs. Davis?*

*J. Gurrey.* I can't tell whether I did or no.

*Mr. Cowper.* Did not you ſay *Mr. Gape* ask'd *Mrs. Hockley* what a Clock it was?

J. *Gurrey.* No, I don't remember that, but *Mrs. Hockley* went in and told him what time of Night it was, it was Eleven or Twelve of the Clock whether I can't ſay.

*Mr. Jones.* Call *Martha Gurrey* (who was Sworn) which of theſe Gentlemen do you know? *Mrs. Gurrey. Mr. Marſon, Mr. Rogers,* and *Mr. Stevens.*

*Mr. Jones.* What time of the Night was it when they came to your Houſe, give an Account of it, and of what you heard them ſay?

*Mrs. Gurrey.* It was a little after Five or thereabouts, that they came———

*Mr. Jones.* Who came?

*Mrs. Gurrey. Mr. Stevens,* and *Mr. Rogers,* and there was one *Mr. Gilbert* that married a firſt Couſin of mine, he came and ask'd me for my Husband, and I ask'd him his Buſineſs, and he ſaid he wanted to ſpeak with him.———————

*Mr. Jones.* Pray come to theſe *Men,* when did they come to your Houſe.

*Mrs. Gurrey.* They hired the Lodging at Five of the Clock, when they firſt came to ſee them, I was not at home, *Mr. Gilbert* brought them, and as I was coming along the Street, I ſaw *Mr. Gilbert* walking off, and would not look at me.———————

*Mr. Jones.* When did they go out? *Mrs. Gurrey.* They never ſtaid there.

*Mr. Jones.* When did they come in again? *Mrs. Gurrey.* Between 11 and 12.

*Mr.* Bar. *Hatſell.* What did they do when they came in?

*Mrs. Gurrey.* I was laying on ſome Sheets two pair of Stairs when they came, and then there was three of them; ſo they ſaw me a little after and beg'd my excuſe for bringing in another; for they ſaid it was ſo late they could not get a Lodging any where elſe, and ſaid if I thought fit the Gentleman ſhould lie with them, and I told them I liked it very well. *Mr. Jones.* What Firing had they?

*Mrs. Gurrey.* The Firing I laid on in the Morning, and they ſent for my Husband to fetch them ſome Wine. *Mr. Jones.* What did you hear them talk on?

*Mrs. Gurrey.* They diſcoours'd with my Husband, and ask'd him if he knew *Mrs. Sarah Stout,* and one of them ſaid to *Mr. Marſon,* I think ſhe was an old Sweatheart of yours, ay ſaith he, but ſhe turn'd me off, but a Friend of mine is even with her; and *Mr. Rogers* ſaid he was in with her, and afterwards ſaid her Buſineſs was done; they had a Bundle that was wrapt in a pure white Cloth (like to an Apron) but I can't ſay it was an Apron, and there was a Parcel hanging looſe by it, and when he laid it down, he ſaid, he would paſs his Word *Mrs. Sarah Stouts* Courting days were over, and I ſaid, I hop'd it was no hurt to the Gentlewoman, and then I looking upon *Mr. Marſon,* I ſaw him put his Peruke aſide, and his Head reak'd, and he told them he was but juſt come from *London* that Night, which made him diſappointed of a Lodging.

*Mr. Jones.* What did you hear them ſay about any Money.

*Mrs. Gurrey.* I ask'd them how they would have their Bed warm'd, and *Mr. Marſon* anſwer'd very hot, and with that I went down to ſend my Daughter up, and ſhe could not go preſently, I told her then ſhe muſt go as ſoon as ſhe could.

*Mr.* Bar. *Hatſell.* Pray don't tell us what paſs'd between you and your Daughter, what do you know of theſe Gentlemen?

*Mrs. Gurrey.* I went to the next Room, to ſee if every thing was as it ſhould be, I hearken'd, and they had ſome Diſcourſe about money, and I heard ſome body (I don't know who it ſhould be, except it were *Mr. Stevens*) anſwer, and ſay, the uſe Mony was paid to Night, but what Mony they meant I can't tell.

Mr. *Jones.* What did you find when they were gone?

Mrs. *Gurrey.* Sir, I found a Cord at the end of the Trunk.

Mr. *Jones.* Was it there in the Morning, or before they came?

Mrs *Gurrey.* No it could not, for I ſwept my Room and wip'd down the duſt.

Mr. *Jones.* Was the Cord White?

Mrs *Gurrey.* No, it was more dirty than it is now, for my Husband and I have worn it in our Pockets.

*Mr. Cowper.* Pray, who brought the Cord down from above Stairs?

Mrs. *Gurrey.* My Daughter that liv'd with me, and ſhe laid it upon the Shelf.

*Mr. Cowper.* Did not you hear there was a Coroners Inqueſt ſitting?

*Mrs. Gurrey.* The next day at Night I did hear of it.

*Mr. Cowper.* Why did not you go to the Coroners Inqueſt, and give an Account of it there?

Mrs. *Gurrey.* I told my Husband of it, and I ask'd my Husband if he did not hear what they ſaid concerning *Mrs Sarah Stout*, and he anſwer'd yes, they ought to be taken up for the Words they ſaid laſt Night; why, faith I, don't you take notice of it, I think you ought to take them up but he went out of Doors, and I ſaw no more of him 'till the Afternoon; when I heard the words I thought ſome body had ſtole her away and got to Bed to her.

*Mr. Cowper.* Pray if your Husband heard theſe words, why did not he go to the Coroners Inqueſt.

*Mrs. Gurrey.* I did ſpeak to him to have them taken up.

*Mr. Cowper.* Why did you not do it?

*Mrs. Gurrey.* He ſaid he would not do it, he did not know but it might coſt him his life.

*Mr. Jones.* How came you after this to diſcover it?

*Mrs. Gurrey.* Becauſe I was ſo troubled in mind I could not reſt Night nor Day, and I told him if he would not tell of it, I would tell of it my ſelf, for I was not able to live.

*Then* Elizabeth Gurrey *was Sworn.*

*Mr. Jones.* Pray do you know *Mr. Rogers*, *Mr. Stevens*, and *Mr. Marſon.*

*E. Gurrey.* I know *Mr. Marſon*, and theſe are the other Gentlemen I reckon.

Mr. *Jones.* What diſcourſe did you hear from them?

*E Gurrey. Mr. Marſon* ask'd the other Gentlemen how much *Mony* they had ſpent, the other anſwer'd what was that to him, you have had Forty or Fifty Pounds to your Share; then the other ask'd him whether the Buſineſs was done, and he anſwer'd he believ'd it was, but if it was not done, it would be done to Night, then my Lord, he pull'd a handful of *Mony* out of his Pocket, and Swore he would ſpend it all for joy the Buſineſs was done.

*Mr. Jones.* Was *Mr. Cowpers* name mentioned?

*E. Gurrey.* I heard them mention *Mr. Cowpers* name, but not *Mrs. Sarah Stouts.*

*Mr. Jones.* What Condition was the Gentleman's Shooes in?

*E. Gurrey.* I think it was *Mr. Marſon*, his Shooes were very wet and dirty, one of them was very hot, and he wip'd his Head with his Handkerchief.

*Mr. Jones.* Now my Lord we have done as to our Evidence, *Mr. Marſon* pretended he was juſt then alighted and come from *London*, and was in a great heat, and his Shooes were wet, I wonder what *Mr. Marſon* had been doing, for when he was examined, he ſaid he came to Town about Eight of the Clock, and went to the *Glove* and *Dolphin Inn*, and ſtay'd there while he came to his Lodging; now 'tis a wonderful thing that he ſhould come wet ſhod from a Tavern where he had been ſitting Four or Five Hours together.

Then the Examination of *Mr. John Marſon* was read.

*Mr. Jones.*

*Mr. Jones.* All that I obſerve from it, is this; that he had been 5 hours in Town, and when he came to his Lodging he came in wet and hot, and ſaid he was juſt come from *London.*

*Mr. Marſon.* I had rid 40 *Miles* that day, and could not be ſoon cold.

*Mr.* Bar. *Hatſell.* They have done now for the King, come *Mr. Cowper*, what do you ſay to it?

*Mr. Jones.* If your Lorſhip pleaſe we will call one Witneſs more, *Mary Richardſon.*

*Mrs. Richardſon.* Do you know *Mr. Marſon*, or any of theſe Gentlemen.

Mrs. *Richardſon.* They came on *Tueſday* night to the *Bell* at *Hodſdon* and lay there, and one of the Gentlemen when I was warming of the Sheets, ask'd me if I knew Mrs. *Sarah Stout*, and I ſaid yes; he ask'd me if I knew which way ſhe came to her end, and I told him I could not tell. Mr. *Jones.* Is that all, what did they ſay more?

Mrs. *Richardſon.* They did deſire and wiſh it might be found out how it came about, and one Gentleman took no notice of her at all; they had a little Bundle, but what was in it, I can't tell, but there I ſee it bound up in ſome colour'd Stuff or other, but what it was, I can't tell. Mr. *Jones.* Is that all that you can ſay?

Mrs. *Richardſon.* Yes, that's all. Mr. *Jones* Then we have done.

Mr. Bar. *Hatſell.* Come Mr. *Cowper*, what do you ſay to it?

Mr. *Cowper.* Now they have done on the part of the King, my Lord, and you Gentlemen of my Jury, I muſt beg your Patience for my Defence: I confeſs it was an unfortunate Accident for me (as Mr. *Jones* calls it) that I happned to be the laſt Perſon (for ought appears) in the Company of a melancholy Woman. The Diſcourſe occaſioned by this Accident had been a ſufficient Misfortune to me without any thing elſe to aggravate it; but I did not in the leaſt imagine that ſo little, ſo Trivial an Evidence as here is could poſſibly have affected me to ſo great a degree, as to bring me to this place to anſwer for the worſt Fact that the worſt of Men can be guilty of.

My Lord, your Lordſhip did juſt now obſerve, that I have appear'd at the Bar for my Clients, but I muſt ſay too, that I never appear'd for my ſelf under this, or the like Circumſtances, as a Criminal for any Offence whatſoever.

*Mr. Jones* very well ſaid, when he ſpoke on the part of the King, that if this Gentlewoman was *Murther'd*, the Crime was Villanous, Baſe, Barbarous, and Cruel; and for my part I think ſo too, the Crime would be ſo great, that it could never ſufficiently be Condemned: But at the ſame time I may averr, that to ſuppoſe a *Murther* without good Grounds for it, and afterwards to charge innocent *Men* with it knowingly and maliciouſly, is to a Trifle as Baſe and Barbarous as the Murther it ſelf could be. My Lord, I ſpeak for my own part, I know not at what Price other Men may value their Lives, but I had much rather my ſelf was Murther'd than my Reputation; which yet, I am ſenſible hath ſuffer'd greatly hitherto by the Malice and Artifice of ſome Men, who have gone pretty far in making this Fact, as Barbarous as it is, to be Credited of me. And therefore I muſt beg your Lordſh p's, and the Jury's Patience, while I not only defend my Life, but juſtifie my ſelf alſo from theſe things that have unjuſtly aſpers'd me, by the Conſpiracy and Artifice of my Accuſers.

My Lord, in all the Evidence that hath been given, I muſt obſerve there is no poſitive Evidence, with Submiſſion, to induce the Jury, or any one to believe the General, that this Gentlewoman was Murthered; but they go upon Suppoſitions and Inferences, which are contradicted by other Circumſtances, in the very Evidence of the Proſecutor, that make full as ſtrong to prove ſhe was not *Murther'd*, as that ſhe was; ſo that as it ſtands, it can amount only to a bare Suppoſitions that ſhe was *Murther'd* by any body.

Then as to the Evidence that particularly relates to my ſelf, or the Gentlemen who ſtand with me at the Bar; that they, or I were concerned in it (if ſhe was *Murther'd*) there is not one Syllable of Proof, at moſt it amounts but to make us ſuſpect of a *Murther*, not proved, but only ſuſpected; this I obſerve upon the Evidence, as it now ſtands without Anſwer, as it has been given on the King's Part, and how far in the Caſe of Life, *Men* ſhall be affected with Evidence of this Nature, which neither proves the *Murther* in General, nor that they did it in particular, though no Defence was made, or any further Anſwer given, I muſt ſubmit to your Lordſhip's, and the Jury's Judgment.

But my Lord, I do not doubt but I ſhall be able to wipe away, even that remorſe Suſpicion by my Defence; they have been long in their Evidence for the King, and therefore I muſt beg your Patience while I give a particular Anſwer to every part of it, in as good a *Method* as I am able, and I will waſt as little time as may conſiſt with, the juſtifying of my Reputation (for which I know your Lordſhip will have as tender a regard, to ſee it doth not ſuffer unjuſtly, as for my Life it ſelf.

And I promiſe your Lordſhip I ſhall trouble you with no Evidence which is not expreſs and plain, no Inuendo's or Suſpicions; but I ſhall prove fully and clearly, in the firſt

place,

place, that there was no Ground at all in this Caſe to ſuppoſe ſhe was murther'd by any one but her ſelf.

The firſt Fact that they inſiſted upon to infer a murther from it, was, that the Body was found floating; now, my Lord, that Fact I am able by the Evidence I have, as well as from that of the Proſecutor to deny; for the Fact was directly otherwiſe, that is, ſhe was not found floating.

And whereas the Perſecutor's Witneſſes, who have been produced to this Point, are obſcure and poor Men, and your Lordſhip obſerves have been taught to ſay generally that ſhe floated, which, when they are required to explain, and deſcribe how ſhe lay, they contradict themſelves in, by ſhewing ſhe lay ſideways between the Stakes, and almoſt all under Water: Now I ſhall give your Lordſhip, and the Jury a full and particular Account and Deſcription from the Pariſh Officers, Men employ'd by the Coroner to take the Body out of the Water, of the very Manner and Poſture in which it was firſt found; which they are much better able to do, than the Proſecutor's Witneſſes, having ſeen her before all, or moſt of thoſe People, and theſe Officers clearly agree that her Body was under Water, when found, except ſome ſmall appearance of her Petticoats, near, or on the ſurface of the Water, which may be very eaſily accounted for; becauſe the Stakes the Witneſſes mention, and which are driven into the Ground croſs the River to prevent Weeds and Trumpery from running into the *Mill* ſtand, as the Witneſſes have already ſaid, about a Foot diſtance from one another, and are ſet with their Feet from the *Mill*, and their Heads inclining towards the *Mill* with the Stream: Now, my Lord, every one knows that though a drowned Body will at firſt ſink, yet it is buoyant, and does not go down-right, and reſt in one place like Lead; for a humane Body is ſeldom or never in a Stream found to lie where it was drowned; a Body drowned at *Chelſea*, has been often found by Fiſhermen at *London*, and that before it came to float above Water. Now, if a Body is ſo buoyant, as that it is driven down by the impellant force of the Current (though it do not float above Water) it ſeems a Conſequence that when it comes to be ſtopp'd and reſiſted by the Stakes, which lie with their Heads downwards, inclining with the Stream, the Stream bearing the Body againſt the Stakes, muſt needs raiſe it upwards to find another Paſſage, if poſſible, when the Ordinary and Natural is obſtructed. I have ſeen I remember, that where Weeds have been driven down a River, and have been rooled along at the bottom, when they have come down to a Board, or Stakes of a Wyer, or Turnpike, they have been by the force of the Water raiſed up againſt thoſe Boards, or Stakes, and forc'd over them, though without ſuch Obſtruction they had undoubtedly continued to rool along under the Water. I don't know of any other Symptom they pretend too, of her not being drowned, from any thing obſerved of her in the Water. Then as to the flatneſs of her Belly, when ſhe was put into her Coffin, I ſhall ſhew it is a common and natural Accident, ſometimes drowned Bodies are ſwelled more, ſometimes leſs, ſometimes not at all; I think it hardly deſerves a Phyſician to prove that a Body may be drowned with very little Water, that a Man may be drowned by Strangling, or Suffocation cauſed by a little Water in the Lungs, without any great quantity of Water received in the Body, is a certain and eſtabliſh'd Truth; for I am told that when Reſpiration ceaſes, the Party dies, and can receive no more Water after that; ſo that nothing is to be inferred from a Body's having more or leſs Water found in it, eſpecially, if your Lordſhip will give me leave to obſerve this diſtinction, where a Body is voluntarily drowned, and where it is drowned by Accident; for People that fall in by Accident do ſtruggle and ſtrive as long as they can, every time they riſe they drink ſome Water into the Stomach to prevent its paſſing into the Lungs, and are drowned no ſooner than needs muſt; but Perſons that voluntarily drown themſelves, to be ſure deſperately plunge into the Water to diſpatch a miſerable Life, as ſoon as they can; and ſo that little quantity in the Lungs, which cauſes Death, may be the ſooner taken in; after which, no more is received: And I hope by Phyſicians it will appear there is good Ground for this Difference.

The next is the Evidence that the Chyrurgeons have given on the other part, relating to the taking this Gentlewoman out of her Grave, after ſhe had been buried ſix Weeks, whether this ought to have been given in Evidence for the Reaſons I hinted at in a Criminal Caſe, I ſubmit to your Lordſhip. But as it is, I have no reaſon to apprehend it, being able to make appear, that the Gentlemen who ſpoke to this Point have delivered themſelves in that manner, either out of extreme Malice, or a moſt profound Ignorance; this will be ſo very plain upon my Evidence, that I muſt take the liberty to impute one, or both of thoſe Cauſes to the Gentlemen that have argued from their Obſervations upon that Matter.

And now, if your Lordſhip will but pleaſe to conſider the Circumſtances under which they would accuſe me of this horrid Action, I don't think they will pretend to ſay, that in the whole Courſe of my Life, I have been guilty of any mean or indirect

Action,

Action; and I will put it upon the worſt Enemy I have in the World to ſay it. Now, for a Man in the Condition I was in, of ſome Fortune in Poſſeſſion, related to a better, in a good Employment, thriving in my Profeſſion, living within my Income, never in Debt, (I may truly ſay not five Pounds at any one time theſe eight Years paſt) having no poſſibility of making any Advantage by her Death, void of all Malice; and as appears by her own Evidence in perfect Amity and Friendſhip with this Gentlewoman, to be guilty of the murthering her, to begin at the top of all Baſeneſs and Wickedneſs, certainly is incredible.

My Lord, in this Proſecution my Enemies ſeeing the neceſſity of Aſſigning ſome Cauſe, have been ſo Malicious to ſuggeſt before (though not now, when I have this Opportunity of Vindicating my ſelf publickly) that I have been concerned in the Receipt of Money's for this Gentlewoman, had her Securities by me, and ſometimes that I had been her Guardian, or her Truſtee, and I know not what: I now ſee the Contrivers and Promoters of that Scandal, and they know it to be Baſe, Falſe, and Malicious; I never was concerned in Intereſt with her, directly, or indirectly, and ſo I told them when I was before my Lord Chief Juſtice; 'tis true, it was then juſt ſuggeſted by the Proſecutors, I then denied it, and I deny it ſtill———I thank God I have not been uſed, nor have I needed to deny the Truth.

My Lord, you find the Proſecutors have nothing to ſay to me upon this Head, after all the Slanders and Stories they have Publiſhed againſt me, of my having Money in my Hands which belonged to the Deceaſed. But though they do not ſtir it, I will, and and give your Lordſhip a full Account of all that ever was in that *Matter*: When I lo'g'd at *Hertford*, ſome time ſince, ſhe deſired me to recommend to her a Security for 200 *l.* if it came in my way, my Lord, when I came to Town, I underſtood that one *Mrs. Puller*, a Client of mine, had a *Mortgage* formerly made to her by one *Mr. Loftus* of *Lambeth* in *Surrey*, for the like Summ, and that ſhe was willing to have in her *Money*; I wrote to this Gentlewoman, the Deceaſed, to acquaint her of the Security, ſhe thereupon did ſend up 200 *l.* and ſome odd Pounds for Intereſt (the Account of which I produced to my Lord Chief Juſtice) this *Money* was ſent to me by *Mr. Cranſfield*, as I have been informed, and by him given to *Mr. Toller's* Clark, and by him brought publickly to me; my Lord, this Mortgage I immediately Transferr'd by Aſſignment, Indors'd on the back of it, and Mrs. *Habberfield*, a Truſtee for Mrs. *Puller*, Signed and Sealed it, and that very 200 *l.* and Intereſt due was at one and the ſame time paid to Mrs. *Puller*, and by her the Principal was paid to her Daughter, in part of her Portion. All this was Tranſacted the beginning of *December* laſt, and ſhe was not drowned till the 13*th* of *March* following: And my Lord, theſe People that are now the Proſecutors, did own before my Lord Chief Juſtice, that they had found this Mortgage amongſt the Deceaſeds Writings in her Cabinet at the time of her Death. Now, my Lord, I ſay, that ſaving this one Service I did her, as I ſaid in *December* laſt, I never was otherwiſe concerned with her in the receiving, or diſpoſing of any of her Money; nor had I ever any of her Securities for Money in my keeping; and I defie any Adverſary I have to ſhew the contrary.

My Lord, as there appears no Malice, no Intereſt, ſo they have prov'd for me that there was no Concealment of Shame, to induce me to commit ſo Barbarous an Action; otherwiſe, perhaps now they find they can aſſign no other Cauſe, they would content themſelves to give that reaſon, and fling that Scandal at me: And though I take it by the Experience I have had of them, they did not deſign to do me any Favour, yet I thank 'em, in endeavouring to vindicate her Honour, they have ſecured my Reputation againſt that Calumny; and though I am ſatisfied, as I ſaid, they did not intend me Kindneſs, yet I thank God they have given me a juſt Opportunity to take advantage of their Cunning, for the clearing my Innocence in that Particular.

Then, my Lord, not to reſt it here, but to ſatisfie the Jury and the World how this Gentlewoman came to deſtroy her ſelf, I ſhall give the cleareſt Evidence that was ever given in any Court, that ſhe murther'd her ſelf; when I enter upon this Proof, I muſt of neceſſity treſpaſs upon the Character of this Gentlewoman that is dead, I confeſs this is a tender Point,—'tis a thing I would willingly be excus'd from, and 'tis not without a great deal of Reluctancy and Compulſion forc'd from me: That ſhe was melancholly the Proſecutors themſelves have prov'd; but I muſt of neceſſity ſhow you the Occaſion and Reaſons of it, and the Witneſſes will tell your Lordſhip what deſperate Reſolutions ſhe had been under formerly, and that will lead me to near the time of her Death; to ſhow why, and upon what Accidents ſhe made away her ſelf. I will not innumerate Particulars, by way of opening; only I muſt tell your Lordſhip, that ſome Letters of hers muſt of neceſſity be produced, which truly as I ſaid, I ſhould not meddle with, if I had not theſe innocent Gentlemen here to defend, as well as my ſelf; perhaps it may be ſaid, that in Honour I ought to conceal the Weakneſs of this Gentle-

woman, but then in Honour and Juſtice to theſe Gentlemen that are falſly accuſed with me, I cannot do it; I hope this one reaſon will excuſe me to the World, for I have no other that could have obliged me to bring theſe Letters upon the Stage; I ſolemnly proteſt, if I ſtood here ſingly in the Caſe of my own Life, upon the Evidence given againſt me, I take it to be ſo inconſiderable, I would not do it; but I muſt do it to ſhow that theſe Gentlemen alſo are innocent, and to preſerve them, becauſe I am ſatisfied in my own mind they are ſo. *My* Lord, when I have done that, I ſhall ſhow your Lordſhip in the next place, that it is utterly impoſſible I could be concern'd in this Fact; if I had had all the motives and provocations in the World to have done it: I ſhall ſhow your Lordſhip in point of time it could not be.

The *Maid Sarah Walker*, who is the ſingle Witneſs, I take it, that ſays any thing in the leaſt relating to me, ſaid but now, the Clock had ſtruck 11 before ſhe carried up the Coals, and about a quarter of an hour after, while ſhe was warming the Bed above ſtairs, ſhe heard the Door clap, and ſometime after that ſhe came down and found that I and her Miſtreſs were gone, Now in point of time I ſhall prove it utterly impoſſible I could be guilty of the Fact I am accuſed of, being ſeen to come into the Glove Inn as the Town Clock ſtruck eleven, and ſtaying there more than a quarter of an hour, was, after ſeveral things done at my lodging, in bed before twelve a Clock, and went no more out that night as I ſhall prove. As for that little circumſtance of ſending for my Horſe, which they have made uſe of all along to back this proſecution, their very telling me of that matter, ſhews how they are put to their ſhifts to juſtifie their accuſing me; I ſay in prudence I ought to have done what I did: I ſent for him on the *Tueſday*, but as their Witneſs ſaith, I told him, at the time I bid him fetch my Horſe, not to uſe then, nor till by the courſe of the Circuit I was to go into *Eſſex* with the Judges the next Morning; and till then the Proſecutors Witneſs, who is the Oſtler of the *Glove Inn*, was ordered to ſet him up there to litter him down, and to take care of him and feed him, and that he ſhould be ready for me to go to *Chelmsford* on the morrow, whither I went with the other Councel the next *Morning* being *Wedneſday*; and this my Lord is the whole of that matter.

*My* Lord, this Buſineſs ſlept near Two *Months* after the Coroners Inqueſt before I heard of it, or imagined my ſelf to be concerned in it, and was never ſtirr'd till two Parties differing on all other occaſions had laid their Heads together; I beg leave to let your Lordſhip a little into that matter, to ſhow you how this Proſecution came to be managed, with ſo much noiſe and violence as it hath been. I can make it appear, that one of the greateſt of the Quakers, *Mr. Mead* by name, has very much, and indirectly too, concerned himſelf in this matter; it ſeems they fancy the Reputation of their Sect is concern'd in it, for they think it a wonderful thing, nay abſolutely impoſſible (however other People may be lyable to ſuch reſolutions) that one who was by her Education intituled to the Light within her, ſhould run headlong into the Water, as if ſhe had been poſſeſt with the Devil; of this they think their Sect is to be clear'd, though by ſpilling the Blood of Four Innocent *Men*. The other ſort of People that concur with the Quakers in this Proſecution, I ſhall mention now I come to obſerve what the Witneſſes are that have been produced againſt me; ſome of them I have nothing to object to, but that they are extreme Indigent and Poor, and have been helped by the Proſecutor, thoſe that are ſo ſay nothing as to me; others who live in this Town, and give their Opinions of the manner of her Death, are poſſeſt with much prejudice againſt me, upon Feuds that have riſen at the Elections of my Father and Brother in this Town, and theſe with the Quakers have wholly dreſt up this matter for ſeveral ends, the Quakers to maintain the Reputation of their Sect, and the others to deſtroy, or break at leaſt, the Intereſt of my Family in this Place: But however effectual theſe deſigns may have been, to have made a great noiſe in the World out of nothing; I am ſatisfied now, that I am in a Court of Juſtice, where no Perſons Reputation, much leſs his Life, will be ſacrific'd to the Policy or Malice of a Party without *Proof*; and therefore I have taken up ſo much of your time, to ſet the true riſe of this *Pro*ecution before you in a clear Light.

My Lord, as to my coming to this Town on *Monday*, it was the firſt day of the Aſſizes, and that was the reaſon that brought me hither; before I came out of Town, I confeſs, I had a deſign of taking a Lodging at this Gentlewomans Houſe, having been invited by Letter ſo to do; and the reaſon why I did not was this; my Brother when he went the Circuit always favour'd me with the offer of a part of his Lodging, which out of good Husbandry I always accepted: The laſt Circuit was in *Parliament* time, and my Brother being in the *Mony* Chair could not attend the Circuit as he us'd to do, he had very good Lodgings, I think one of the beſt in this Town, where I us'd to be with him, theſe were always kept for him, unleſs notice was given to the contrary; the *Friday* before I came down to the Aſſizes, I hapned to be in company with my Brother and another Gentleman, and then I ſhow'd them the Letter, by which I was earneſtly invited down to lie at the Houſe of this Gentlewoman, during the Aſſizes, (it is dated the *9th.* of *March* laſt) and deſigning to comply with the Invitation; I thereupon deſired my Brother

ther to Write to *Mr. Barfoot* our Landlord, and get him, if he could, to diſpoſe of the Lodgings, for ſaid I, if he keeps them they muſt be paid for, and then I cannot well avoid lying there; my Brother did ſay he would Write, if he could think on't; and thus, if *Mr. Barfoot* diſpoſed of the Lodgings, I own I intended to lie at the Deceaſeds Houſe, but if not, I looked on my ſelf as obliged to lie at *Mr. Barfoots*. Accordingly I ſhall prove, aſſoon as ever I came to this Town in the morning of the firſt day of the Aſſizes, I went directly to Mr. *Barfoots*, (the Maid and all agree in this) and the reaſon was, I had not ſeen my Brother after he ſaid he would Write before I went out of *London*; and therefore it was proper for me to go firſt to Mr. *Barfoots*, to know whether my Brother had Wrote to him, and whether he had diſpoſed of the Lodgings or not; aſſoon as I came to Mr. *Barfoots*, there was one *Mr. Taylor* of this Town came to me, and I in his hearing ask'd *Mr. Barfoot*, his Wife, and Maid-ſervant one after another, if they had received a Letter from my Brother to unbeſpeak the Lodgings; they told me no, that the Room was kept for us, and I think that they had made a Fire, and that the Sheets were airing; I was a little concerned he had not writ, but being ſatisfied that no Letter had been received, I ſaid immediatly, as I ſhall prove by ſeveral *Witneſſes*, if it be ſo I muſt ſtay with you, I will take up my Lodging here; thereupon I lighted, and ſent for my Bag from the Coffee-houſe, and I lodg'd all my things at *Barfoots*, and thus I took up my Lodging there as uſual: I had no ſooner done this, but *Sarah Walker* came to me from her Miſtreſs to invite me to Dinner, and accordingly I went and dined there, and when I went away it may be true that, being asked, I ſaid I would come again at Night, but that I did ſay I would lie there, I do poſitively deny, and knowing I could not lie there, 'tis unlikely I ſhould ſay ſo: my Lord, at Night I did come again and paid her ſome mony, which I received from Mr. *Loftus*, who is the Mortgager for Intereſt of the 200 *l.* I before mentioned (it was Six Pounds odd mony in Guineas and half Guineas) I writ a Receipt, but ſhe declined the Signing of it preſſing me to ſtay there that Night, which I refuſed, as engaged to lie at *Mr. Barfoots* and took my leave of her; and that very mony which I paid her was found in her Pocket, as I have heard after ſhe was drowned.

Now my Lord, the reaſon that I went to her Houſe at Night was firſt, as I ſaid, to pay her the Intereſt mony; in the next place it was but fitting, when I found my ſelf under a neceſſity of diſappointing her, and lying at *Barfoots* to go to excuſe my not lying there; which I had not an opportunity at Dinner time to do. My Lord, I open my Defence ſhortly, referring the particulars to the *Witneſſes* themſelves, in calling thoſe who will fully refute the Suppoſitions and Inferences made by the Proſecutors, of whom, firſt my Lord, I ſhall begin with to ſhew there is no Evidence of any Murther at all committed; and this I ſay again ought to be indiſputably made manifeſt and prov'd before any Man can be ſo much as ſuſpected for it.

Mr. Bar. *Haſell.* Do not flouriſh too much, Mr. *Cowper*, if you have opened all your Evidence, call your Witneſſes, and when they have ended, then make your Obſervations.

Mr. *Cowper.* Then, my Lord I will take up no more of your Time in opening this Matter.

*Call* Robert Dew (*who appear'd*)

When Mrs. *Sarah Stout* drowned her ſelf, was not you a Pariſh Officer?

*R. Dew.* I was, I was next Houſe to the *Coach* and *Horſes*, and about ſix of the Clock came a little Boy, (*Thomas Parker's* Boy) and ſaid there was a Woman fallen into the River, I conſider'd it was not my buſineſs, but the Coroner's, and I ſent the Boy to the Coroner, to acquaint him with it, and the Coroner ſent word by the Boy, and deſired ſhe might be taken out, ſo I went to the River and ſaw her taken out; ſhe lay in the River, (as near as I could gueſs) half a Foot in the Water, ſhe was cover'd with Water, ſhe had a ſtrip'd Petticoat on, but nothing could be ſeen of it above Water; I heav'd her up, and ſeveral Sticks were underneath her, and Flags, and when they took her out, ſhe froth'd at the Noſe, and Mouth.

Mr. *Cowper.* How was ſhe, was ſhe driven between the Stakes?

*R. Dew.* She lay on the right ſide, her Head leaning rather downwards, and as they pull'd her up, I cry'd, hold, hold, you hurt her Arm, and ſo they kneel'd down and took her Arm from the Stakes.

Mr. *Cowper.* Did you ſee any Spots upon her Arm? *R. Dew.* Yes, Sir.

Mr. *Cowper.* What ſort of Spot was it? *R. Dew.* It was reddiſh, I believe the Stakes did it; for her Arm hit upon the Stake where ſhe lay.

Mr. *Cowper.* Pray how do theſe Stakes ſtand about the Bridge of the Mill?

*R. Dew.* I ſuppoſe they ſtand about a Foot a ſunder, they ſtand ſlanting, leaning down the Stream a little. Mr. *Cowper.* Could you diſcern her Feet?

*R. Dew.* No, nothing like it, nor the ſtrip'd Petticoat ſhe had on.

Mr *Cowper.* Might not her Knees and Legs be upon the Ground, for what you could ſee?

*R. Dew.* Truly, if I was put upon my Oath, whether they were ſo, or not, I durſt not Swear it; ſometimes the Water there is four Feet, ſometimes three and a half, I believe her Feet were very near the bottom. Mr. *Cowper.* Are not the Stakes nail'd with their Head againſt the Bridge? *R. Dew.* They are nail'd to the ſide of the Bridge.

Mr. *Cowper*, Pray deſcribe the manner in which they took her up. *R. Dew.*

*R. Dew.* They ſtoop'd down and took her up. Mr. *Cowper.* Did they take her up at once? *R. Dew.* They had two heavings, or more? Mr. *Cowper.* What was the reaſon they did not take her up at once? *R. Dew* Becauſe I cry'd out, they hurt her Arm. Mr. *Cowper.* Was ſhe not within the Stakes?

*R. Dew* No, this Shoulder kept her out. Mr. *Cowper.* When you complain'd they hurt her Arm, what Anſwer did they make you? *R. Dew.* They ſtoop'd down and took her Arm out from between the Stakes, they could not have got her out elſe.

Mr. *Cowper.* After ſhe was taken out, did you obſerve any Froth or Foame come from her Mouth, or Noſe? *R. Dew.* There was a white Froth came from her, and as they wip'd it away, it was on again preſently. Mr. *Cowper.* What was the appearance of her Face and upper Parts at that time?

*R. Dew.* She was ſo much disfigured, I believe, that ſcarce any of her Neighbours knew her, the Slime of the Water being upon her. Mr. *Cowper.* Did you ſee her Maid *Sarah Walker* at that time? *R. Dew.* No.

Mr. Bar. *Hatſell.* Mr. *Cowper*, do you intend to ſpend ſo much time with every Witneſs, I don't ſee to what purpoſe many of theſe Queſtions are ask'd? Mr. *Cowper.* I have done with him, - call *Young.* Mr. *Cowper.* I would not have you ſtraiten your ſelf, but only ask thoſe Queſtions that are Pertinent. Mr. *Cowper.* Pray give an account of what you know of this Matter. *Young.* On *Tueſday* morning between 5 and 6 of the Clock laſt Aſſizes? *Mr. Cowper.* What Officer was you? *Young.* I was Conſtable. Mr. *Cowper.* Was you employ'd by the Coroner?

*Young.* Not by him in Perſon Between 5 and 6 a Clock ſome of the Men that came into my Yard to work, told me a Woman was drowned at the Mill, I ſtaid a little, and went down to ſee, and when I came there, I ſaw a Woman, as they had told me, and I ſaw part of her Coat lie on the top of the Water to be ſeen, and I look'd ſtrictly and nicely within the Bridge, and ſaw the Face of a Woman, and her left Arm was on the outſide the Stakes, which I believe kept her from going through; ſo I look'd upon her very wiſhfully, and was going back again, and as I came back I met with *R. Dew*, and two of my Neighbours, and they as'd me to go back with them, and ſaid they were going to take her up, and being Conſtable, I told them I thought it was not proper to do it, and they ſaid they had Orders for it; ſo I being Conſtable went back with them, and when I came there I found her in the ſame poſture as before, we view'd her very wiſhfully; her Coat that was driven near the Stakes was ſeen, but none of her other Coats, or her Legs, and after we had look'd a little while upon her, we ſpake to *Dell*, and *Ulſe* to take her up, and one of them took hold of her Coat till he brought her above Water; and as her Arm drew up, I ſaw a black place, and ſhe laid ſideway, that he could not take her up till they had let her down again, and ſo they twiſted her out ſideway; for the Stakes were ſo near together that ſhe could not lie upon her Belly, nor upon her Back, and when they had taken her up, they laid her down upon a green place, and after ſhe was laid down a great quantity of Froth (like the Froth of new Beer) work'd out of her Noſtrils.

Mr. Bar *Hatſell.* How much do you call a great quantity? *Young.* It roſe up in Bladders, and run down on the ſides of her Face, and ſo roſe again; and ſeeing her look like a Gentlewoman, we deſir'd one *Ulſe* to ſearch her Pockets to ſee if there were any Letters, that we might know who ſhe was, ſo the Woman did, and I believe there was twenty or more of us that knew her very well when ſhe was alive, and not one of us knew her then, and the Woman ſearched her Pockets, and took out 6 Guineas 10 Shillings 3*d* half penny, and ſome other things; and after that, I deſir'd ſome of my Neighbours to goe with me and tell the Money; for when it came to be known who ſhe was, I knew we muſt give an Account on't, and I laid it upon a block and told it, and they tied it up in an Handkerchif, and I ſaid I would keep the Money, and they ſhould Seal it up, to prevent any Queſtion about it; and during all this while of Diſcourſe, and Sealing up the Money, the Froth ſtill work'd out of her Mouth. Mr. *Cowper.* Have you meaſur'd the depth of the Water; what depth is it there? *Young.* I meaſur'd the Water this morning, and 'twas ſo high that is run over the Floodgate, and the hight of it was about 4 Foot 2 Inches, but ſometimes 'tis pend up to a greater height than 'tis to day. Mr. *Cowper.* Was it higher to day than when the Body was found? *Young.* To the beſt of my remembrance 'twas as high to day as it was then. Mr. *Cowper.* Was any part of the Body above Water?

*Young.* No, nor nothing like the Body could be ſeen. Mr. *Cooper.* Could you ſee where her Legs lay? *Young.* No, nor nothing but her upper Coats which were driven againſt the Stakes. Mr. *Cowper* Pray give an account how long ſhe lay there, and when ſhe was conveyed away. *Young.* I ſtaid a quarter of an houre, and then I went and Seal'd up the Money at my own Houſe, ſo that I did not ſee her remov'd.

Mr. *Jones.* Was any body there beſides your ſelf at this time?

*Young.* Yes, twenty People at the leaſt.

Mr. *Jones.* Now here is ten of them that have Sworn that the Body was above the Surface of the Water.

Mr. Bar

Mr Bar *Hatſell.* No, her Cloaths they ſay were, but the Body was ſomething wet with the water.

Mr *Cowper.* Now I will trouble your Lordſhip no more with that Fact, but I will give you an account of the Coroners Inqueſt, how diligent they were in their proceedings, and produce a Copy of the Inquiſition it ſelf, that ſhe was found to have drowned herſelf.

Mr Bar. *Hatſell.* Mr *Cowper* that is no Evidence, if it be produced in order to contradict what theſe Witneſſes have ſaid, that have been examined for the King; but if you will prove, that they have ſworn otherwiſe before the Coroner, than they now do, then you ſay ſomething, otherwiſe the Coroners Inqueſt ſignifies nothing as to the preſent queſtion.

Mr *Cowper.* Call *Thomas Wall.* I am loth to be troubleſome, but if you pleaſe to favour me, I deſire to know of them, whether they do admit there was an Inquiſition, and that ſhe was found *Non Compos Mentis*, and did kill herſelf. Mr *Jones.* We do admit it.

*Juryman* We deſire it may be read.

Mr Bar. *Hatſell.* Why, won't you believe what they agree to on both ſides.

*Juryman* If they do agree ſo I am ſatisfied.

Mr *Cowper.* *Thomas Wall*, pray do you give an account of what you know of Mrs *Stout*'s being taken up?

*Wall.* My Lord, I was one of the Jury, that viewed her at the place where ſhe was laid, when ſhe was taken up, and there was no marks upon her, only a little mark about her Ear, and ſomething near her Collar bone, that was all I ſee upon her.

Mr *Cowper.* Do you know any thing of any Surgeons being imploy'd to view thoſe marks?

*Wall* My Lord, we had ſeveral perſons that came before us that we examined, we had a diſpute concerning theſe marks what might effect them, and we deſired Mr *Dimſdale* and Mr *Camlin* to ſee them, that we might be the better ſatisfied, and they both went down and viewed the body after it was brought down to Mrs *Stouts*, and they came back both of them, and Mr *John Dimſdale* told us, that theſe marks were no more than were uſual in ſuch caſes, and it was only the Stagnation of blood.

Mr *Cowper.* Was it the old man or the young man?

*Wall.* It was the young man. Mr *Cowper.* Uſual he did ſay?

*Wall.* I can tell the very words, I have them writ down.

Mr *Cowper.* Pray do ſo, for he has denied it here.

*Wall.* (Looks on his Paper) here 'tis. Mr *Dimſdale* and Mr *Camlin* came to us, and Mr *Dimſdale* ſpake and ſaid theſe marks are uſual, or might be uſual, or if they were marks, it was no more than was uſual in ſuch caſes; and that it was the ſtagnation of blood.

Mr *Cowper.* Now you have your Notes in your hand, pray what did *Sarah Walker* ſay to you as to the time I went from Mrs *Stout*'s?

*Wall Sarah Walker* ſaid it was about 11 a clock when ſhe took up Coals to warm the Bed, but ſhe ſaid ſhe could not, nor did not know when Mr *Cowper* went out, for ſhe warm'd the Bed, and Mr *Cowper* not coming up, ſhe took up ſome more Coals, and tarried a little longer, and no body coming up, ſhe went down, and found Mr *Cowper* was gone, and ſhe look'd into the Parlour and her Miſtreſs was gone.

Mr Bar. *Hatſell.* The Woman ſaid the ſame thing

Mr *Cowper* Tis neceſſary in this particular as to the time.

Mr Bar *Hatſell* She told you the Clocks did differ. (Then Mr *Bowden* was called.)

Mr *Cowper.* Well, what do you know of the taking up of Mrs *Stout*?

*Bowden.* I went with the reſt of the Neighbours to view her, and I did perceive it was Mrs *Sarah Stout*'s body, though ſome queſtioned it; I do believe I was the ſecond perſon that diſcover'd it was ſhe; and, my Lord, I did ſee a great deal of froth that came out of her mouth and noſtrils. Mr *Cowper.* Did you go about to wipe it away?

*Bowden* No, but ſome other perſon did, it come out in a great quantity.

Mr *Jones.* How much do you call a great quantity?

*Bowden.* Her mouth and noſtrils were very full of it. Mr *Jones.* Was not her mouth ſhut?

*Bowden.* I did not obſerve that.

Mr *Cowper.* How long had ſhe lain there before you came?

*Bowden.* I believe I was there in half an hour, as ſoon as I heard the report of it I went down. Mr *Cowper.* Call Mr *Shute.*

Mr Bar. *Hatſell.* Well, what can you ſay to this matter?

*Shute* Sir, I was ſummoned upon the Jury upon the Coroners Inqueſt, and I perceived when I was there, that the ſame ſtuff worked out of Mrs *Stout*'s Noſtrils as worked out of the Childs.

Mr Bar. *Hatſell* What Child is that you ſpeak of, is it the Child that was drowned in the ſame place as Mrs *Stout* was? *Shute.* Yes.

Mr *Cowper.* My Lord, I am very tender how I take up your Lordſhips time, and therefore I will not trouble you with any more witneſſes upon this head, but with your Lordſhips leave, I will proceed to call ſome Phyſicians of note and eminence, to confront the learning of the Gentlemen on the other ſide——Dr *Sloane*, you were in Court when theſe Gentlemen delivered their opinion concerning Mrs *Stout*'s having no water in her, I deſire you would give your opinion in that matter.

Dr *Sloane.* I have not heard them very particularly or diſtinctly, becauſe of the great crowd, ſome of them I have; Caſes of this kind are very uncommon, and none of them have fallen directly under my own knowledge As to my opinion of drowning, it is plain that if a great quantity of water be ſwallowed by the Gullet into the Stomach it will not ſuffocate nor drown the perſon: Drunkards, who ſwallow freely a great deal of Liquor, and thoſe who are forced by the Civil Law to drink a very great quantity of water, which in giving the Queſtion (as 'tis call'd) is poured into them by way of torture to make them confeſs crimes, have no ſuffocation or drowning happen to them: But on the other hand, when any quantity comes into the Wind-pipe, ſo as it does hinder or intercept the inſpiration, or coming in of the air, which is

neceſſary for reſpiration or breathing, the perſon is ſuffocated. Such a ſmall quantity will do as ſometimes in Preſcriptions, when people have been very weak, or forced to take Med'cines, I have obſerved ſome ſpoonfuls in that condition (if it went the wrong way) to have choaked or ſuffocated the perſon. I take drowning in a great meaſure to be thus, and though it is very likely when one ſtruggles he may (to ſave himſelf from being choak'd) ſwallow ſome quantity of water, yet that is not the cauſe of his death, but that which goes into the Windpipe and Lungs: whether a perſon comes dead or alive into the water, I believe ſome quantity will go into the Wind-pipe, and I believe without force after death little will get into the Stomach, becauſe for that it ſhould, ſwallowing is neceſſary, which after death cannot be done.

Mr Bar. *Hatſell.* Pray Dr I underſtand you ſay this, that in caſe a perſon is drowned, that there may be but little water in the Stomach? Dr *Sloane.* That it is accidental, my Lord.

Mr Bar. *Hatſell.* But what do you ſay to this, if there had been water in the body, would it not have putrified the parts after it had lain ſix weeks?

Dr *Sloane.* My Lord, I am apt to think it would have putrified the ſtomach leſs than the lungs, becauſe the ſtomach is a part of the body that is contrived by nature, partly to receive liquids, but the contrivance of the lungs is only for the receiving of air, they being of a ſpongy nature, the water might ſink more into them than the ſtomach; but I believe it might putrify there too after ſome time. I am apt to think that when a body is buried under ground, according to the depth of the Grave, and difference of the weather and ſoil, the fermentation may be greater or leſſer, and that according to the ſeveral kinds of meats or liquids in the ſtomach the putrifaction will likewiſe vary, ſo that it ſeems to me to be very uncertain.

Mr Baron *Hatſell* But when they are in a Coffin how is it then?

Dr *Sloane.* No doubt there will be a Fermentation more or leſs, according as the air comes, more or leſs to the body. Indeed it may be otherwiſe, where the air is wholly ſhut out, which is ſuppoſed to be the way of Embalming, or preſerving dead Bodies of late, without the uſe of any Spices, which is thought in a great meaſure to be brought about by the cloſeneſs of the Coffin, and hindring of the air from coming into the body.

Mr *Cowper* Is it poſſible in your judgment for any water to paſs into the Thorax?

Dr *Sloane.* I believe 'tis hardly poſſible that any ſhould go from the Windpipe into the Cavity of the Thorax, without great violence and force, for there is a membrane that covers the outſide of the Lungs, that will hinder the water from paſſing through it into any part without them.

Mr *Cowper.* Now do you think it poſſible to find water in a drowned body after ſix weeks time.

Dr *Sloane.* I am apt to think if there was any quantity in the lungs, the ſponginess of the part would ſuck up ſome part of it. As to the ſtomach I have not known it tried, but 'tis like if there was a great fermentation, a great deal of it would riſe up in vapours or ſteams, and go off that way.

Mr *Cowper.* Dr *Garth*, I can't tell whether you were in Court when the Surgeons who are Witneſſes for the King gave their evidence. Dr *Garth.* Yes I was.

Mr *Cowper.* Then I deſire you, Sir, to give your opinion as to thoſe particulars.

Dr *Garth.* I obſerved in this Tryal the firſt Gentleman call'd for the King that ſpoke to this matter was Mr *Coatſworth.* He ſaith he was ſent for to open her, upon an aſperſion of her being ſaid to be with Child. I agree with him in what he ſpeaks to that point, but muſt differ with him where he infers ſhe was murther'd becauſe he found no great quantity of water in her, as alſo her head extreamly mortify'd, but not her lungs (lungs and bowels I think were us'd promiſcuously.) Now, my Lord, as to the matter of putrefaction, I think 'tis not much material whether there be any water or no in the cavities of the body, if water would haſten putrefaction, it would do it as well in the lungs as otherwiſe; there is always ſome water in the lymphaducts there, the breaking of which may be one occaſion of Catarrhs. As to what relates to the putrefaction of the head, it may happen from a ſtoppage of the refluent blood, which is ſtaid there in a great quantity, through the ſuffocation in the water, or from the nearneſs of the brain, which is obſerv'd often to mortifie firſt.

The next was Mr *Dimſdale* (I wou'd ſpeak to them all in order if my memory wou'd permit) I think he was of the ſame opinion with Mr *Coatſworth*; he laid the ſtreſs of his ſuſpicion upon the mortification of the head, which I think is not at all material, no more than what they infer from her floating: it being impoſſible the body ſhou'd have floated, unleſs it had reſted, or had been entangled amongſt the ſtakes, becauſe all dead bodies (I believe) fall to the bottom, unleſs they be prevented by ſome extraordinary tumour. My Lord, we have not only Philoſophy, but Experiments for this. The Witneſſes all agree ſhe was found upon her ſide, which to ſuppoſe her to float in this poſture, is as hard to be conceiv'd, as to imagine a Shilling ſhou'd fall down and reſt upon its edge rather than its broad ſide; or that a Deal Board ſhou'd rather float edgeways than otherwiſe: therefore 'tis plain ſhe was entangled, or elſe the poſture had been otherwiſe.

As to the quantity of water, I do not think it neceſſary it ſhou'd be very great. I muſt own the water will force itſelf into all cavities where there's no reſiſtance. I believe when ſhe threw herſelf in ſhe might not ſtruggle to ſave herſelf, and by conſequence not ſup up much water. Now there's no direct paſſage into the ſtomach but by the gullet, which is contracted or purs'd up by a Muſcle in nature of a Sphincter: for if this paſſage was always open, like that of the Windpipe, the weight of the air, would force it ſelf into the Stomach, and we ſhou'd be ſenſible of the greateſt inconveniencies. I doubt not, but that ſome water fell into her Lungs, becauſe the weight of it, wou'd force it ſelf down, but if we conſider the Windpipe with its ramifications, as one *Cylinder*, the calculation of its contents will not amount to above 23 or 24 ſolid inches of water, which is not a pint, and which might imperceptibly work and fall out. I remember I offer'd a wager at *Garaways* Coffee Houſe to a Gentleman here in Court.

Mr Bar. *Hatſell.* Pray Doctor tell us your opinion as to what the Seaman ſaid, and alſo as to what Dr *Sloan* ſaid whether water in the body will putrify it. Dr

Dr *Garth*. I say not, for in some places they keep Flesh Meat from corrupting by preserving it in water, and 'tis well known 'twill putrify less so, than when expos'd to air.

Mr Bar. *Hatsell*. But what do you say as to the sinking of dead Bodies in water?

Dr *Garth*. If a strangled body be thrown into the water, the Lungs being filled with air, and a Cord left about the neck, 'tis probable it may float, because of the included air, as a bladder would, but here is neither cord, nor any mark of it, nor nothing but a common stagnation.

Mr Bar. *Hatsell*. But you don't observe my question, the Seaman said, that those that die at Sea, and are thrown overboard, if you don't tye a weight to them, they will not sink, What say you to that?

Dr *Garth*. My Lord, no doubt in this they're mistaken. The Seamen are a superstitious people, they fancy that whistling at Sea will occasion a tempest; I must confess I never saw any body thrown overboard, but I have tryed some experiments on other dead animals, and they will certainly sink. we have try'd this since we came hither. Now, my Lord, I think, we have reason to suspect the Seaman's Evidence, for he saith, that threescore pound of Iron is allow'd to sink the dead Bodies, whereas six or seven pounds would do as well. I cannot think the Commissioners of the Navy guilty of so ill husbandry, but the design of tying weights to their dead bodies, is to prevent their floating at all, which otherwise would happen in some few days, therefore what I say is this, that if these Gentlemen had found a Cord, or the print of it, about the neck of this unfortunate Gentlewoman, or any wound that had occasion'd her death, they might then have said something.

Mr *Cowper*. Do you apprehend that any quantity of water, can enter into the cavity of the Thorax.

Dr *Garth*. 'Tis impossible there shou'd till the Lungs be quite rotten, there is no way but by the Lungs, which are invested with so strong a Membrane, that we cannot force breath with our Blow-pipes through it, and there's a great providence in such a texture, for if there were any large pores in this Membrane, the air would pass thro it into the cavity of the Thorax, and prevent the dilatation of the Lungs, and by consequence there would be an end of breathing.

Mr *Cowper*. Dr *Morley* pray be pleased to give your opinion of these matters.

Dr *Morley*. Those which seem to be questions of greatest moment, are whether there was a necessity for this body (if drown'd) to have a great quantity of Water in it, and whether bodies thrown dead into the Water float: To the first I answer positively, that there is no absolute necessity, that she should have a great quantity of water in her; and I think the question Mr *Cowper* ask'd Dr *Coatsworth*, whether he had like to been drowned by accident or design, suites with my assertion; for if this Gentlewoman did voluntarily drown herself, she then in all likelihood threw herself into the water, with a resolution of keeping her breath for a speedy suffocation, and then if upon the first endeavours for respiration (which naturally must be) she drew into her Lungs 2 Ounces of water, it was the same thing to drowning of her, as if there had been 2 Tun. We see the same thing done by Divers in order to save themselves, as it happened to this unfortunate Gentlewoman in her design of destroying herself: if a Diver before he come to the surface of water should so far mistake his power of holding his breath, that he should be forced to endeavour respiration, the little water he drew into his Lungs by this attempt to respire may drown him. We last night drown'd a Dog, and afterwards dissected him, and found not a Spoonful of water in his Stomach, and I believe about two Ounces in his Lungs, while we were doing this, we drowned another, and he lay at the bottom and did not float; no more would he have done, if he had been hang'd before thrown into the water: we took him up, and upon opening him we found much about the same quantity of water in his Lungs, and little or none in his Stomach, they both froth'd at Nose and Mouth, because the water coming into the little bladders of the Lungs, and there meeting with air, a commotion arose between the water and air, which caused the froth. To the second question, I think if bodies new killed swim 'tis by accident, for the reason that bodies swim, is because by putrifaction they rarifie by rarifaction they grow lighter, which brings them to the top of the water.

Mr *Cowper*. I desire to know if any man of skill in Prudence would give his opinion?——

Mr Bar. *Hatsell*. That is not a proper question.

Mr *Cowper*. Then I will ask it thus, do you think, Doctor, it is to be known 6 weeks after if a person was drowned.

Dr *Morley*. I think it is morally impossible.

Mr *Cowper*. Can there be any water in the Thorax?

Dr *Morley*. By an Impostum or some violence to nature possibly, but I think no otherwise.

Mr *Cowper*. Dr *Woollaston*, what is your opinion if a person be drowned, whether it can be discovered six weeks after?

Dr *Woollaston*. My Lord, I think it is impossible to be known, for if there had been never so much water in the body at first, it could not lye there so long, but must of necessity have forced its way out. We see in persons that dye of Dropsies, that the water will work it self out (and sometimes burst the body) before it is buried. And I am sure, if it do so in Dropsies where there are no visible passages for it to get out at, it must do so much more in drown'd persons, where the water lies only in the Stomach and Guts; and has nothing to hinder its working out, when it ferments, as it always doth.

Mr *Cowper*. Have you ever made any experiments in that nature, Doctor?

Dr *Woollaston*. I have made no experiments, but I have seen a very particular instance.

Mr Bar. *Hatsell*. That is very well, pray let us hear it, Doctor.

Dr *Woollaston*. My Lord, about three years since, I saw two men that were drowned out of the same boat. They were taken up the next day after they were drowned. One of 'em was indeed prodigiously swell'd, so much that his Cloaths were burst in several places of his sides and arms, and his Stockings in the seams; his hands and fingers were strangely extended, his face was almost all over black; but the other was not in the least swelled in any part nor dis-

co-

coloured. He was as lank, I believe, as ever he was in his Life time, and there was not the leaſt ſign of any water in him, except the watry froth at his mouth and noſtrils. My Lord, this I ſaw my ſelf, and took very particular notice of it.

Mr *Jones*. Did you ſee theſe bodies taken out of the water your ſelf, Doctor?

Dr *Woollaſton*. No Sir. Mr *Jones*. How long had they been taken out when you ſaw them?

Dr *Woollaſton*. I enquired, and to the beſt of my Memory, it was that ſame day.

Mr Bar. *Haſſell*. But what do you think Doctor, of a Perſons being drown'd, without taking in any water?

Dr *Woollaſton*. My Lord, what is taken in, is I believe chiefly at the ſurface of the water, when they open their mouths for breath, and the water that ruſhes in, they are forc'd to drink down, to keep it from their Lungs. But when the head is quite under water, I don't think it is poſſible for any quantity to get down into the Stomach: becauſe it being breath they open for, the very firſt water they take in, would of neceſſity fill the Lungs, and when the breath is ſtopt, I don't ſee how they can ſwallow.

Mr *Comper*. Dr *Gelſtrop*, what is your opinion of this matter?

Dr *Gelſtrop*. I dont think they can make any judgment of perſons being drowned after ſix weeks time. Mr *Comper*. Can any water get into the Thorax?

Dr *Gelſtrop*. No, not unleſs the Lungs be putrified.

Mr *Comper*. Is a great quantity of water neceſſary to perſons dying by drowning.

Dr *Gelſtrop*. No, only ſo much as may hinder reſpiration.

Mr *Comper*. Now, my Lord, I would call Mr *William Comper*, and becauſe of his name, I muſt acquaint your Lordſhip, that he is not at all related to me, tho I ſhould be proud to own him if he were ſo, he is a man of great learning, and I believe moſt people admit him the beſt Anatomiſt in *Europe*. Mr *Comper*. Pray will you give your opinion of this matter?

Mr *W. Comper*. My Lord, I hope what I ſhall ſay, will not be ſuſpected becauſe I am of the ſame name, for this Gentleman is an utter ſtranger to me.

Mr Bar. *Haſſell*. Pray, Mr *Comper*, without any Apology, give your opinion concerning perſons drowned, and how 'tis with them in their inward parts?

Mr *W. Comper*. I will give you a ſhort account, I hope to your ſatisfaction too, my Lord. I will not only ſpeak from reaſon, but give you the teſtimony of the Experiments I have made upon this occaſion. My Lord, I heard it made a mighty argument, that this perſon had no water that ſeemed to flow out, but the witneſſes agree there was a froth. Now, my Lord, it was not reaſonable to expect any thing but froth. My Lord, had ſhe been thrown into the water, and made her utmoſt efforts, which ſhe would then have done to have ſav'd herſelf, and been often buoyed up to the top of the water, no doubt but ſhe would have ſwallowed a conſiderable quantity of water before ſhe had been drowned; and it may be expected to flow from her, if her head had been inclined downwards.

This is a truth that no man can deny, who is acquainted with any thing of this nature, that when the head of an Animal is under water, the firſt time it is obliged to inſpire (or draw in air) the water will neceſſarily flow into its lungs, as the air would do if it were out of the water; which quantity of water (if the dimenſions of the Windpipe and its branches in the lungs be conſidered) will not amount to 3 inches ſquare, which is about 3 ounces of water. Nor is a greater quantity of water in the Windpipe neceſſary to choak any perſon, if we do but reflect what an ebullition is cauſed by its meeting with the air, which remain'd in the lungs, whereby a ſmall quantity of water is converted into a Froth, and the Channel of the Windpipe, and thoſe of the Bronchia are filled with it; inſomuch that no air can enter the lungs, for the office of reſpiration. After a Suffocation is thus commenced (I am apt to think) all regular animal actions are perverted, and particularly that of ſwallowing (or deglutition) and what water flows into the Stomach at the inſtant or after this ſuffocation, is from its own weight; which is more or leſs as the Body is farther under, or nearer the ſurface of the Water. My Lord, I don't ſpeak this by way of conjecture or Hypotheſis, but I have made experiments, which have ſuggeſted what I here offer. I ſhall by the by tell you how falacious the firſt experiment was, when I propoſed to ſatisfy my ſelf, whether a dead Body would float in water; it happened, that a Spaniel, that had a great deal of long hair was hanged for this purpoſe, which I found ſwim on the ſurface of the water; but when I conſidered that his hair might buoy him up, I cauſed another Dog, which had ſhorter and leſs hair to be hanged, and put into the water, which (agreeable to what I had always conceived of a Human Body) ſunk directly to the bottom. In order to ſatisfie my ſelf what quantity of water was neceſſary to enter the Body of an Animal, and cauſe a ſuffocation in Water, I cauſed 3 Dogs when alive to be ſuddenly plunged under Water, till they were ſtifled, one was before I left *London*, the other 2 I made the Experiment on laſt night, in the preſence of Dr *Sloane* and Dr *Morley*, and we could not compute there was more than 3 ounces of water in their Lungs, and none that we could perceive in their Stomachs.

Dead Bodies neceſſarily ſink in Water, if no diſtenſion of their parts buoy them up; this diſtenſion ſometimes happens before death, at other times ſoon after, and in Bodies that are drowned after they lye under water: This enlargement of them is cauſed by a rarefaction of the humors within the cavities, and the body neceſſarily riſes to the ſurface of the water. Your Lordſhip, may infer this from what the Seamen told you, and the great weight they uſe to faſten to their bodies that died of Diſeaſes, was not of ſuch uſe to ſink them, as it was to prevent their floating afterwards; ſo that the weight was neceſſary for thoſe that were killed as well as thoſe that died of diſeaſes.

It is ſo commonly known that the contents in the ſtomach of a dead body are diſcharged by the mouth and noſtrils ſo ſoon as it begins to ferment, and the belly becomes diſtended, that 'tis no wonder that water, if the greateſt quantity that had been in the ſtomach, or any thing elſe that was fluid, muſt be forced from thence ſix weeks after death.

My Lord, I can't but think it ridiculous to expect water in the cavity of the Thorax; 'tis ſuch a conceit as nothing in Nature can account for: Unleſs the lungs had ſuffered ſome Apoſthumation, or the like, whereby the water may paſs their outward membranes into that cavity.

Mr

Mr. *Cowper*. With your Lordſhip's favour, I now think it a proper time to make this Obſervation. The Witneſſes that have given Evidence for the King, do ſay, they believe ſhe was not drowned; but they have not pretended to ſay how ſhe died otherwiſe.

Mr. *Bar. Hatſell*. That is very true.

Mr. *Cowper*. Dr. *Creil*, I deſire you will be pleaſed to give an Account of this Matter.

Dr. *Creil*. My Lord, I have little to ſay in this Affair, the Phyſicians that have been Examined already, having made it out, that Perſons who are drowned may have but little Water in their Bodies; but I have taken what pains I could, upon ſo ſhort warning, and I will tell you the Opinion of ſeveral eminent Authors. My own Opinion is, That a very ſmall quantity of Water, not exceeding three Ounces, is ſufficient to drown any Body; and I believe that the reaſon of the Suffocation, or of any Perſons being ſtifled under Water, is from the intercepting of the Air, that the Perſon can't breath, without which he cannot live. Now my Lord I will give you the Opinion of ſeveral ancient Authors. Mr. *Bar. Hatſell*. Pray Dr. tell us your own Obſervations.

Dr. *Creil*. My Lord, it muſt be reading as well as a Man's own Experience, that will make any one a Phyſitian; for without the reading of Books of that Art, the Art it ſelf cannot be attained to; beſides, my Lord, I humbly conceive, that in ſuch a difficult caſe as this, we ought to have a great reference for the Reports and Opinions of Learned Men: Neither do I ſee any reaſon why I ſhould not quote the Fathers of my Profeſſion in this Caſe, as well as you Gentlemen of the Long-Robe quote *Cook* upon *Littleton* in others; but I ſhall not trouble the Court long. I ſhall only inſiſt upon what *Ambroſe Parey* relates in his Chapter of Renunciations. He was chief Surgeon to *Francis* the Firſt, imploy'd by him in moſt of his Sieges and Battles againſt the Emperor *Charles* the Fifth, and conſequently muſt obſerve, and could not be ignorant of ſuch like Caſualties in ſuch great Bodies of Men. He tells us, that the certain ſign of a Mans being drown'd, is an appearance of Froth about his Noſtrils and Mouth. Now, my Lord, I think, that every one of the King's Evidences obſerv'd it in the preſent Caſe, and a Woman ſwore, that ſhe ſaw her purge at the Noſe; which could not be, as he declares, if the Perſon had been Strangled, or otherwiſe killed before.

As to the quantity of Water requiſite to drown a Perſon, I believe that three Ounces, or leſs, is enough, to wit, as much as will fill the Wind-pipe, and ſo ſtop the breathing of the Perſon drowning. I am not now to deſcant upon matter of Fact, whether ſhe drown'd her ſelf; but my firm Opinion is, That ſhe was drown'd; for tho' ſometimes, not always, there is Water found in the Bodies of ſuch Perſons, yet wherever it be, beſides the Lungs, it is ſuperfluous as to this end, and accidental upon violent ſtruglings.

Mr. *Cowper*. I deſire Mr. *Harriet* may be ask'd what Obſervations he hath made concerning this Matter.

Mr. *Harriet*. My Lord, when I was a Surgeon in the Fleet, I made it always my Obſervation when we threw Men over-board that were kill'd, ſome of them ſwam, and ſome ſunk; and I remember, particularly when the *Sandwich* was burnt, we ſaw abundance leap off from on Board and they ſunk directly, but in a little time I obſerv'd ſome ſwim again.

Mr. *Bar. Hatſell*. When a dead Body is thrown over-board, does it ſink or ſwim?

Mr. *Harriot*. I always obſerv'd that it did ſink; when we were in the Channel, and in time of Peace, we never threw any over-board but we put ſome weight to them, but it was not to make them ſink, but for decency ſake, that they might not be driven to Shore when they began to float.

Mr. *Cowper*. I deſire that Mr. *Bartlet* may be ask'd to the ſame purpoſe.

Mr. *Bartlet*. I have been in ſeveral of the King's Ships of War that have been diſabled and forc'd to lye by, in ſeveral Ingagements between the *French* and *Engliſh*, and I never ſaw any Bodies float either of the Men that were killed in our Ship, or in the Ships that have been near us, I have not ſeen a Body upon the Surface of the Water.

Mr. *Bar. Hatſell*. Another Witneſs ſaid, that after an Engagement he ſaw them ſwimming.

Mr. *Bartlet*. I can't tell what he ſaw, my Lord, but what I ſay I am ready to make Oath of.

Mr. *Cowper*. Dr. *Camlin*, will you pleaſe to give my Lord and the Jury an Account whether you were imploy'd by the Coroners Inqueſt to view the Body of Mrs. *Stout*, after ſhe was drowned, and the Marks upon it, and tell my Lord your Opinion of it.

Mr. *Camlin*. I was ſent for by the Coroner and Jury that ſat upon the Body of Mrs. *Sarah Stout*, the Coroner being then at her Mothers Houſe, and the Coroner deſired Mr. *Dimſdale* and me to go and take notice of the marks upon her Neck, and upon her Breaſt; we view'd all about, and perceiv'd a mark under her left Ear, we look'd to ſee if there was any Contuſion, and we perceiv'd a ſettlement of Blood upon her Breaſt, and another upon her Arm; and when we came back Mr. *Dimſdale* made the Report, I ſtood by him at that time, That it was only a common Settlement.

Mr. *Cowper*. Pray, Mr. *Camlin*, was the Spot above or below the Collar-bone.

Mr. *Camlin*. Below the Collar-bone.

Mr. *Cowper*. What did Mr. *John Dimſdale* ſay then, concerning this Matter?

Mr. *Camlin*. I underſtood that he was of Opinion that it was only a common Stagnation of Blood, that happens in the Caſe of drowned People.

Mr. *Bar. Hatſell*. Did he ſay ſo to the Jury.

Mr. *Camlin*. Mr. *Dimſdale* ſpake for us both, and I underſtood him that it was a Stagnation that did commonly happen to drowned People, and that was my Opinion of it too.

Mr. *Cowper*. And that you agreed to be your Report. Mr. *Camlin*. Yes.

Mr. *Cowper*. Pray, Mr. *Camlin*, was you preſent when the Child which was drowned in the ſame place was taken up?

Mr. *Camlin*. Yes, it was taken up ſome time after, near the ſame place as I was told, and there was more and greater ſigns of the Stagnation of Blood, on the Body of this Child, than on the Body of Mrs. *Stout*, the Childs Face was black and diſcolour'd.

Mr. *Bar. Hatſell*. How old was the Child?

Mr. *Camlin*. Between 10 and 11, as near as I could gueſs.

Mr. *Bar. Hatſell*. Had Mrs. *Stout* any ſigns of being ſtrangled when you ſaw her firſt.

Mr. *Camlin.* Nothing at all that I could diſcern.

Mr. *Cowper.* My Lord, I will give you no more trouble upon this Head; I ſhall go now to the next thing I opened, and ſhall prove ſubſtantially, that this Gentlewoman is not only more to be ſuſpected to have Murder'd her ſelf than to be Murder'd by any body, but 'tis almoſt a certainty, that ſhe was the cauſe of her own Death. Mr. *Firmin* I would begin withal if he be here. But he not preſently appearing.

Mr. *Cowper,* Then my Lord if you pleaſe, I will deſire Mr. *Bowd* in the mean time to give your Lordſhip an Account of what he knows of the Melancholy of this Gentlewoman.

Mr. *Bowd,* 'Twas much about this time twelve month, I had ſome Buſineſs in *London,* and ſhe ſent to me, to know when I ſhould go to *London,* and I waited upon her before I went, and ſhe deſired me to do ſome Buſineſs for her, and when I return'd I acquainted her with what I had done, and Sitting together in the Hall, I ask'd her what's the matter with you? Saith I there is ſomething more than ordinary, you ſeem'd to be Melancholy. Saith ſhe you are come from *London,* and you have heard ſomething or other: Said I, I believe you are in Love, In Love! ſaid ſhe, Yes ſaith I *Cupid* that little Boy hath ſtruck you home; She took me by the Hand, truly ſaith ſhe I muſt confeſs it, but I did think I ſhould never be Guilty of ſuch a Folly, and I anſwered again, I admire that ſhould make you uneaſy; If the Perſon be not of that Fortune as you are, you may if you love him, make him happy, and your ſelf eaſy. That can't be ſaith ſhe the World ſhall not ſay I change my Religion for a Husband, and ſometime after I had been at *London,* having bought ſome *India* Goods, She came to my Shop and bought ſome of me for a Gown, and afterwards ſhe came to Pay me for it, and I asked her, how do you like it have you made it up? No ſaid ſhe, and I believe I ſhall never live to wear it.

Mr. *Cowper.* Pray how long is it ſince.

Mr. *Bowd,* It was about *February* or *January* before her Death. I asked her why ſhe did not come to my Houſe oftener, ſhe ſaid ſhe had left off all Company and applyed her ſelf to reading, and Company was indifferent to her.

Mr. *Cowper.* Mr. *Firmin,* will you pleaſe to inform my Lord, and the Jury, what you know of Mrs. *Sarah Stout* being Melancholy?

Mr. *Firmin.* I did obſerve about three quarters of a Year ago that ſhe was Melancholy; I can't ſay that ſhe acknowledg'd her ſelf to be ſo, but I have charg'd her with it.

Mr. *Cowper.* Did you believe ſhe was Melancholy when you charg'd her with it?

Mr. *Firmin.* Yes, I did.

Mr. *Cowper.* Mrs. *Bendy,* if you pleaſe to inform the Court what you know of this Gentlewomans being Melancholy.

Mrs. *Bendy.* Sir, I can ſay ſhe always acknowledg'd her ſelf extreamly Melancholy, and when I have asked her how ſhe did, ſhe has ſaid pretty well in Health, but ſo much troubled with Melancholy ſhe could not tell what to do with her ſelf. Mr. *Cowper.* Did ſhe tell you any thing particularly.

Mrs. *Bendy.* It diſorder'd her ſo, ſhe ſaid, that ſhe had rather have choſen Sickneſs than ſo much diſorder in her Mind. Mr. *Cowper.* Have you any thing more to recollect?

Mrs. *Bendy.* Nothing but what I heard from Mrs. *Cowper.*

Mr. *Bar. Hatſell.* How old was this Gentlewoman? Mrs. *Bendy.* About Six and Twenty.

Mr. *Cowper.* Call Mrs. *Jane Low, Martha Grub,* and Mrs. *Cowper.* Mrs. *Low,* pray do you inform my Lord and the Jury, what you know concerning the Melancholy of Mrs. *Sarah Stout,* and when you firſt obſerv'd it. Mrs. *Low.* It was a Week before Whitſontide was Twelve-month.

Mr. *Cowper.* What did ſhe ſay then?

Mrs. *Low.* She often complain'd to me that ſhe was very Melancholy and uneaſy, one time particularly, as we were walking together in the Fields, I ask'd her the occaſion of it, and ſhe told me that was a ſecret; but ſhe ſaid, ſhe led a very Melancholy Life; ſaith I, I am apt to believe you are in Love, ſhe did not diſown it, and with a little more ſpeaking ſhe own'd ſhe was, I ask'd her who the Perſon was, ſhe ſaid, that ſhould be a Secret, but it would end her Days; ſaith I, a Woman of your Fortune may command any Body, ſhe ſhook her Head and ſaid no; perhaps, ſaith I, he may not be a Quaker, and yet may be afraid of diſobliging your Mother; but if you tell your Mother that your Life depends upon it, your Mother (rather than loſe her only Child) will conſent to it; ſhe ſaid, no, it was a Perſon ſhe could not marry, and ſhook her Head and look'd very Melancholy.

Mr. *Cowper.* When was this?

Mrs. *Low.* This was the Week before Whitſontide, and in Whitſon-week ſhe ſaw me often, and ſaid ſhe would take her full ſwing of Melancholy when her Mother was away, and ſhe us'd to lie a Bed that Week. Mr. *Cowper.* Have you obſerv'd any Melancholy in her ſince?

Mrs. *Low.* Yes, at ſeveral times,

Mr. *Cowper.* Do you remember any thing of an intermitting Feaver?

Mrs. *Low.* Yes, ſhe told me her Melancholy had occaſion'd an intermitting Feaver, and I mention'd Dr. *Eales* to her, and ſhe ſaid her diſtemper lay in her Mind, and not in her Body, and ſhe would take nothing, and the ſooner it did kill her the better.

Mr. *Cowper,* Did ſhe ſay and thing of her diſpoſition to Reading?

Mrs. *Low.* She ſaid nothing delighted her now, neither reading nor any thing elſe.

Mr. *Cowper.* My Lord, *Sarah Walker* when I ask'd her if ſhe did not obſerve the Melancholy of her Miſtreſs, and whether ſhe had not ſaid that her Miſtreſs had been Melancholy, deny'd that ſhe had ſaid ſo, pray have you heard her ſay any thing to that purpoſe.

Mrs. *Low.* I have often ask'd her how her Miſtreſs did, and ſhe would anſwer, very much indiſpos'd, but not otherwiſe. Mr. *Cowper.* Mrs. *Cowper,* what do you know of Mrs. *Strouts* Melancholy.

Mr. *Cowper.* My Lord, this is my Brother's Wife.

Mr. *Cowper.* About Spring was Twelve-month, ſhe came up to *London*; and I believe it was not leſs than once or twice a Week I ſaw her, and I never had an opportunity to be an Hour alone with her at any time, but I perceiv'd ſomething of her Melancholy, I have

ask'd

ask'd her the Reaſon of it ſeveral times, and ſometimes ſhe ſeem'd to diſlike her Profeſſion, being a Quaker, and ſometimes ſhe would ſay that ſhe was uneaſy at ſomething that lay upon her Spirits, which ſhe ſhould never out-live, and that ſhe ſhould never be well while ſhe was in this World; ſometimes I have endeavour'd to perſwade her out of it ſeriouſly, and ſometimes by raillery, and have ſaid are you ſure you ſhall be better in another World, and particularly I remember I have ſaid to her, I believe you have Mr. *Marſhall* in your Head, either have him or do not trouble your ſelf about him, make your ſelf either eaſy one way or another, and ſhe hath ſaid no in an indifferent way, I cannot make my ſelf eaſy; then I have ſaid marry him, no ſaith ſhe I can't. Sometimes with Company ſhe would be diverted, and had frequently a way of throwing her Hands, and ſhew'd great diſturbance and uneaſineſs. This time Twelve-month, at the Summer Aſſizes, I was here ſix Days, and I ſaw her every Day, and one time among other Diſcourſe, ſhe told me ſhe had receiv'd great diſturbance from one *Theophilus*, a Waterman and a Quaker, who coming down to old Mrs. *Stout*, that was then lame, ſhe had gather'd about 20 or 30 People together to hear him Preach, and ſhe ſaid he directed his Diſcourſe to her, and exaſperated her at that rate, that ſhe had thoughts of ſeeing no body again; and ſaid, ſhe took it hainouſly ill to be ſo us'd, and particularly that he told her that her Mothers falling outwardly in the Fleſh ſhould be a warning that ſhe did not fall inwardly, and ſuch canting ſtuff as ſhe called it, and ſhe ſaid, that *Theophilus* had ſo uſed her that ſhe was aſham'd to ſhew her Head. Another time the ſame Week, ſhe had a Feaver, and ſhe ſaid ſhe was in great hopes it would end her Days, and that ſhe neglected her ſelf, in doing thoſe things that were neceſſary for her Health, in hopes it would carry her off, and often wiſh'd her ſelf dead; another time, which I think was the laſt time I ſaw her, was at my Siſters Lodgings, and I ſent for her to drink a diſh of Tea with us, and ſhe came in a great toſs and melancholy; ſaith I, What is the matter you are always in this odd Humour, ſaith ſhe, I can't help it, I ſhall never be otherwiſe; ſaith my Siſter, for God's ſake keep ſuch Thoughts out of your Head as you have had, don't talk any more of throwing your ſelf out of Window; ſaith ſhe, I may thank God that ever I ſaw your Face, otherwiſe I had done it; but I can't promiſe I ſhall not do it.

Mr. *Bar. Hatſel.* What is is your Name, Madam?

Mr. *Cowper.* 'Tis my Brother's Wife, my Lord. I deſire Mrs. *Toler* may give an account what ſhe knows as to her being Melancholy.

Mrs. *Toler.* My Lord, ſhe was once to ſee me, and ſhe look'd very Melancholy, and I asked her what was the matter, and ſhe ſaid ſomething had vex'd her that Day, and I ask'd her the cauſe of it, and ſhe ſtop'd a little while, and then ſaid ſhe would drown her ſelf out of the way.

Mr. *Bar. Hatſell.* How long ago was this?

Mrs. *Toler.* About Three quarters of a Year ago,

*John Stout.* I deſire to know whether ſhe has always ſaid ſo, or not told another Story.

Mrs. *Toler.* I told you no Story; it may be I did not ſay ſo much to you, but I ſaid ſhe talk'd ſomething of drowning. I have been with her when Mr. *Cowper*'s Converſation and Name has been mention'd, and ſhe ſaid ſhe kept but little Company, that ſometimes ſhe went to Mrs. *Lowes*, and that ſhe kept none but civil modeſt Company, and that Mr. *Cowper* was a civil modeſt Gentleman, and that ſhe had nothing to ſay againſt him.

Mr. *Cowper.* This is Mrs. *Elizabeth Toler* my Lord.

Mrs. *Eliz. Toler.* My Lord, ſhe came to ſee me ſome time after Chriſtmas, and ſeem'd not ſo chearful as ſhe us'd to be, ſaith I, What is the matter? Why are you not ſo merry as you us'd to be? Why do you not come often to ſee me? Saith ſhe, I don't think to go abroad ſo much as I us'd to do, ſaid, it would be as much a rarity to ſee her go abroad as to ſee the Sun ſhine by Night.

Mr. *Cowper.* Mrs. *Grub* what do you know concerning Mrs. *Stouts* pulling out a Letter at her Brother Mr. *John Stouts*? give an Account of it, and what ſhe ſaid upon that occaſion.

Mrs. *Grub.* I have a Daughter that lives at *Guernſey*, and ſhe ſent me a Letter, and I pray'd Mrs. *Sarah Stout* to read the Letter, and while ſhe was reading it I cry'd; ſaith ſhe, why do you cry? ſaid I, becauſe my Child is ſo far off; ſaid ſhe, if I live till Winter is over, I will go over Sea as far as I can for the Land.

Mr. *Bar. Hatſell.* What was the occaſion of her ſaying ſo?

Mrs. *Grub.* I was waſhing my Maſters Study, Mrs. *Sarah Stout* came in, and I had a Letter from my Daughter at *Guernſey*, and I pray'd Mrs. *Sarah Stout* to read it, and ſhe read my Letter, and I cry'd, and ſhe ask'd me why I cry'd, ſaid I, becauſe my Child is ſo far off, ſaith ſhe, if I live to Winter, or till Winter is over, I will go over-Sea as far as I can for the Land.

Mr. *Cowper.* Now my Lord, to bring this matter of Melancholy to the point of time, I will call one Witneſs more, who will ſpeak of a remarkable inſtance that happen'd on Saturday before the Monday when ſhe did deſtroy her ſelf.

Call Mr, *Joſeph Taylor.* Pray will you inform the Court and Jury of what you obſerv'd on Saturday before the Monday on which Mrs. *Stout* deſtroy'd her ſelf.

*J. Taylor.* I happen'd to go in at Mr. *Firmin*'s Shop, and there ſhe ſat the Saturday before this Accident happen'd the former Aſſizes, and I was ſaying to her, Madam, I think you look ſtrangely diſcontented, I never ſaw you dreſs'd ſo in my Life; ſaith ſhe, the dreſs will ſerve me as long as I ſhall have occaſion for a Dreſs.

Mr. *Cowper.* In what poſture did ſhe appear in the Shop?

*J. Taylor.* She appear'd to be very Melancholy.

Mr. *Cowper.* What part of her dreſs did you find fault with?

*J. Taylor.* It was her Head-cloths.

Mr. *Cowper.* What was the matter with them?

*J. Taylor.* I thought her Head was dawb'd with ſome kind of Greaſe or Charcoal.

Mr. *Cowper.* What Anſwer did ſhe make? *J. Taylor.* She ſaid they would ſerve her time.

Mr. *Cowper.* As to this piece of Evidence, if your Lordſhip pleaſes, I deſire it may be particularly taken notice of, it was her Head-dreſs that ſhe ſaid would ſerve her time. Pray Mr. *Taylor* was you at Mr, *Barefoots* when I came in there on Monday Morning.

*J. Tay.*

*J. Taylor.* Yes, I went up Stairs with you into your Chamber.

Mr. *Cowper.* Pray what did I ſay to Mr. *Bareſoot?*

*J. Taylor.* You ask'd him if they had receiv'd a Letter from your Brother, and he ſaid, no, not that he knew of, but he would call his Wife, and he did call his Wife, and ask'd her if ſhe had receiv'd a Letter, and ſhe ſaid no; then ſaith you, I will take up this Lodging for mine, and accordingly you went up Stairs, and I went with you, and ſtaid there about four times as long as I have been here.

Mr. *Cowper.* Are you very ſure that I ſaid I would take up my Lodging there?

*J. Taylor.* Yes, I am very ſure of it. Mr. *Bar. Hatſell.* What time of the Day was it?

*J. Taylor.* 'Twas the fore part of the Day, while I was there, my Lord, Mrs. *Sarah Stouts* Maid came to invite Mr. *Cowper* to her Houſe to Dinner.

Mr *Cowper.* Did you know any thing of my ſending to the Coffee-houſe,

*J. Taylor.* You ſent to the Coffee-houſe for your Things,

Mr. *Bar. Hatſell.* Did Mr. *Cowper* uſe to lie at Mr. *Bareſoots?*

*J. Taylor.* His Brother did, but I do not know whether this Gentleman did; but at that time he took up that place for his Lodging, and ſaid it was all one, my Brother muſt pay for't, and therefore I will take it up for my ſelf.

Mr. *Cowper,* call Mrs. *Barefoot* and her Maid. But they not preſently appearing.

Mr. *Cowper,* My Lord, in the mean time I will go on to the other part of my Evidence, in opening of which I ſhall be very ſhort.

My Lord, my Wife Lodging at *Hertford,* occaſion'd me frequently to come down Mrs. *Stout* became well acquainted with her, when Buſineſs was over in the long vacation, I reſided pretty much at *Hartford,* and Mr. *Marſhall* came down to pay me a Viſit, and this introduc'd his Knowledge of Mrs. *Stout;* when ſhe was firſt acquainted with him ſhe receiv'd him with a great deal of Civility and Kindneſs, which induc'd him to make his Addreſſes to her, as he did by way of Courtſhip. It happen'd one Evening, that ſhe and one Mrs. *Crook,* Mr. *Marſhal,* and my ſelf, were walking together, and Mr. *Marſhall* and Mrs. *Crook,* going ſome little way before us, ſhe took this Opportunity to ſpeak to me, in ſuch Terms I muſt confeſs ſurpriz'd me: Says ſhe Mr. *Cowper,* I did not think you had been ſo dull, I was inquiſitive to know in what my dullneſs did conſiſt: Why ſays ſhe do you imagine I intend to Marry Mr. *Marſhall,* I ſaid I thought ſhe did, and that if ſhe did not, ſhe was much to blame in what ſhe had done, no ſays ſhe I thought it might ſerve to divert the Cenſure of the World, and favour our Acquaintance. My Lord, I have ſome original Letters, under her own Hand which will make this fully manifeſt, I will produce the Letters, after I have call'd, Mr. *Marſhall.* Mr. *Marſhall.*

Mr. *Marſhall,* If your Lordſhip pleaſes, it was in the long vacation, I came down to ſpend a little of my leiſure time at *Hertford,* the reaſon of my going thither, was becauſe Mr. *Cowper* was there at that time: The firſt Night when I came down, I found Mrs, *Sarah Stout* Viſiting at Mr. *Cowper's* Lodgings, and there I firſt came acquainted with her; and ſhe afterwards gave me frequent Opportunities of approving that Acquaintance, and by the manner of my Reception by her, I had not reaſon to ſuſpect the uſe it ſeems I was deſigned for; when I came to Town, my Lord, I was generally told of my Courting Mrs. *Stout,* which I confeſs was not then in my Head but it being repreſented to me as a thing eaſily to be got over; and believing the Report of the World as to her Fortune, I did afterwards make my Application to her, but upon very little Tryal of that ſort. I receiv'd a very fair Denial, and there ended my Suit: Mr. *Cowper* having been ſo friendly to me as to give me notice of ſomethings, that convinc'd me I ought to be thankful I had no more to to do with her.

Mr. *B. Hatſel,* When did ſhe caſt you off?

Mr. *Marſhall,* I can't be poſitive as to the time my Lord, but it was in Anſwer to the only ſerious Letter I ever writ to her; as I remember, I was not over importunate in this Affair, for I never was a very violent Lover.

Mr. *B. Hatſell.* Well, but tell the time as near as you can.

Mr. *Marſhall.* I believe it was the Second or Third time I came down to *Hertford,* which is about a Year and half ſince; and during the whole of my Acquaintance with her, I never till then found her averſe to any Propoſal of mine; but ſhe then telling me her Reſolution was not to comply with what I deſir'd. I took her at her Word, having partly by my own Obſervation, but more by Mr. *Cowper's* Friendſhip, been pretty well able to gueſs at her meaning.

Mr. *Cowper.* Becauſe what you ſay may ſtand confirmed beyond contradiction, I deſire you to ſay whether you have any Letters from her to your ſelf.

Mr. *Marſhall,* Yes I have a Letter in my Hand, which ſhe ſent me upon occaſion of ſome Songs I ſent her when I came to Town, which ſhe had before deſired of me, and this is a Letter in Anſwer to mine, 'tis her Hand writing, and directed to me.

Mr. *B. Hatſel,* How do you know 'tis her Hand writing?

Mr. *Marſhall,* I have ſeen her Write, and ſeen and receiv'd ſeveral Letters from her.

Mr. *Cowper,* Pray ſhew it Mr. *Beale.*

Mr. *Beale,* I believe it to be her Hand I have ſeen her Write, and have a Reciept of hers.

Clerk of *Arraignment,* 'tis directed to Mr. *Thomas Marſhall,* at *Lyons-Inn,* and Dated *Sept.* 26 1697.

## Sept. 26, 1697.

SIR,

*YOurs came very ſafe, but I wiſh you had explained your meaning a little more about the Accident you ſpeake of, for I have been puzling my Brains ever ſince, and without I ſhall ſet my ſelf to Conjuring, I cannot imagine what it ſhould be, for I know of nothing that happened after you went away, nor no Diſcourſe about you, only when we were together, the Company would ſometimes drink your Health, or*

wiſh

*wiſh you had been there, or the like. So that I fancy it muſt be ſomething Mr. —— has invented for diverſion; tho' I muſt confeſs we have a ſort of people here, that are inſpired with the gift of foreknowledge, who will tell one as much for nothing as any Aſtrologer will have a good piece of Money for, but to leave jeſting, I cannot tell when I ſhall come to* London, *unleſs it be for a night and away, about ſome buſineſs with my Brother, that I muſt be obliged to attend his motions; but when I do, I ſhall remember my promiſe, although I do not ſuppoſe you are any more in earneſt than my ſelf in this matter. I give you thanks for your Songs, and your good Wiſhes, and reſt your loving Duck.*

*Mr, Cowper.* Have you any more Letters?

*Mr. Marſhall.* Yes, I have another Letter here, but before 'tis read I think 'twill be proper to give the Court an account of the occaſion of its being writ. I waited on Mrs. *Stout* one Evening at her Lodgings in *Houndſditch*, and at our parting ſhe appointed to meet me the next day, and to excuſe her not coming according to that appointment, ſhe ſent me this Letter.

*Cl. of Arr.* 'Tis directed to Mr. *Thomas Marſhall*, 'tis without date.

Mr. Marſhall.

*I met unexpected, with one that came from* H----d *laſt night, who detained me ſo long with relating the moſt notorious Inventions, and Lyes that are now extant amongſt that people, that I could not poſſible come till it was late, and this day was appointed for buſineſs, that I am uncertain when it will be finiſhed; ſo that I believe I cannot ſee you whilſt I am in Town. I have no more at preſent, but that I am your obliged Friend.*

*Mr. Cowper.* Now, my Lord, if your Lordſhip pleaſe, I proceed to ſhew you, that I went not ſo much voluntarily as preſt by her to come to this houſe, and for that I will produce one Letter from her to my ſelf; and, my Lord, I muſt a little inform you of the nature of this Letter. It is on the outſide directed to Mrs. *Jane Ellen*, to be left for her at Mr. *Hargrave*'s Coffee-houſe. For her to direct to me at a Coffee-houſe might make the Servants wonder, and the Poſt-man might ſuſpect, and for that reaſon ſhe directed it in that manner. There was Mr. *Marſhall* by when I received it, and I can prove the hand by Mr. *Beale*.

*Mr. Marſhall.* My Lord, I verily believe I was by, and that Mr. *Cowper* ſhew'd me this Letter immediately on receipt of it, as he had done ſeveral others from the ſame hand.

*Cl. of Arr.* This is directed for Mrs. *Jane Ellen*: 'tis dated *March* the 5th, without any year.

SIR, March the 5th.

*I Am glad you have not quite forgot that there is ſuch a perſon as I in being, but I am willing to ſhut my Eyes, and not ſee any thing that looks like Unkindneſs in you, and rather content my ſelf with what Excuſes you are pleaſed to make, than be inquiſitive into what I muſt not know; I ſhould very readily comply with your propoſition of changing the Seaſon, if it were in my power to do it, but you know that lies altogether in your own Breaſt: I am ſure the Winter has been too unpleaſant for me to deſire the continuance of it. And I wiſh you were to endure the ſharpneſs of it, but for one hour, as I have done for many long Nights and Days, and then I believe it would move that rocky heart of yours, that can be ſo tho ghtleſs of me as you are; but if it were deſigned for that end, to make the Summer the more delightfull, I wiſh it may have the effect ſo far as to continue it to be ſo too, that the Weather may never over-caſt again; the which if I could be aſſured of, it would recompence me for all that I have ever ſuffered, and make me as eaſie a creature as I was the firſt moment I received breath; when you come to* H- -- *pray let your Steed guide you, and don't do as you did the laſt time; and be ſure order your affairs to be here as ſoon as you can, which cannot be ſooner, than you will be heartily welcome to your*

*For Mrs.* Jane Ellen *at Mr.* Hargrave's *near* Temple-Barr, London. very ſincere Friend.

*Mr. Cowper.* Though 'tis directed to Mrs. *Jane Ellen*, it begins in the inſide, Sir; and 'tis dated the 5th of *March* next before the 13th.

*Mr. Bar. Hatſell.* What *March* was it?

*Mr. Marſhall.* I kept no account of the time, but I am very poſitive by the Contents, that Mr. *Cowper* ſhew'd me this Letter, and I read it, but by my now remembrance, it ſhould be longer ſince than *March* laſt.

*Mr. Cowper.* It was *March* laſt. That which will ſet Mr. *Marſhall*'s memory to rights is this other Letter which I received at the *Rainbow*, when he was by, and he read it, and it importuning me to a matter of this kind, I did produce it to my Brother and him, they both knew of it, and both read it, and that will refreſh his memory concerning the date of the other.

*Mr. Marſhall.* My Lord, I was in the Coffee houſe with Mr. *Cowper* when he received this Letter, and he afterwards ſhew'd it to Mr. *Will. Cowper* at the *Covent-Garden* Tavern, when I was by.

*Cl. of the Arr.* This is dated the 9th of *March*, and directed to Mrs *Jane Ellen*, at Mr. *Hargrave*'s.

SIR, March 9.

*I Writ to you by Sunday's Poſt, which I hope you have received; however as a Confirmation, I will aſſure you I know of no inconveniency that can attend your cohabiting with me, unleſs the Grand Jury ſhould thereupon find a Bill againſt us, but I won't fly for't, for come Life, come Death, I am reſolved never to deſert you, therefore according to your appointment, I will expect you, and till then I ſhall only tell you, that I am,*

*For Mrs.* Jane Ellen, *at Mr.* Hargrave's *near* Temple-Barr, London. Yours, *&c.*

*Mr. Cowper.* If your Lordſhip pleaſe, I will further prove this Letter by my Brother.

*Mr. W. Cowper.* I can bear my Brother Witneſs, that when he has been adviſed to make theſe Letters part of his defence, he has expreſſed great unwillingneſs, and has ſaid, nothing but the life of theſe Gentlemen could incline him to it.

My Lord, all I can ſay to this matter is this, I do remember, that when ſhe was one time in

*London*, I think it was about a year and an half ſince, I am not poſitive as to the time, but when ſhe was in *London*, my Brother came in the Morning to my Chamber in the *Temple*, and after ſome diſcourſe, he told me he had received a Letter from Mrs. *Stout* that day, wherein ſhe ſaid, ſhe intended him a viſit at his Chamber that Afternoon, he told me at the ſame time, that his Friend Mr. *Marſhall* had ſome thoughts of her, and therefore for that, as well as other reaſons, he would decline receiving the viſit intended him; and upon conſideration, this was the method agreed upon: At that time I lived with my Father in *Hatton-Garden*, and this Gentlewoman having writ in the ſame Letter I now ſpeak of, that ſhe deſigned to dine there, and to come from thence in the Afternoon; ſays my Brother, you may caſually, as it were, take occaſion to ſay at Dinner, that my buſineſs obliges me to go to *Deptford* in the Afternoon, as in good earneſt it did, as he then told me, and from that ſhe may take a hint of my not being at home, and ſo ſave her ſelf the diſappointment of coming to my Chamber; I told him, I would find an opportunity of doing it if I could. At Dinner my Father hapned to ask me, as he often did, when I ſaw my Brother; I took this hint and ſaid, I had ſeen him at my Chamber in the Morning, and that he was gone to *Deptford* that Afternoon about ſome Law buſineſs. My Lord, Mrs. *Stout* was then at the Table. I no ſooner ſaid it, but I obſerv'd ſhe chang'd colour preſently, and roſe with her Napkin, and went into the back yard, and we ſaw her through a Saſh-window fall into a woman's Fit of Swooning, and they gave her the aſſiſtance that is uſual in ſuch caſes.

My Lord, the next thing I can ſpeak to is this, the Parliament ſitting late the *Friday* before the *Monday* of the laſt Aſſizes at *Hertford*, I came late from Dinner, I had din'd about ſeven a Clock, as I remember, and having occaſion to ſpeak with my Brother, I found him out by enquiry at the *Covent-Garden* Tavern, and there was Mr. *Marſhall* of *Lions-Inn* with him. I had not drank above a Glaſs or two of Wine, but my Brother began with me, and ſaid, I ſeldom trouble you with affairs of mine, but now I do not know well how to avoid it. I have received an importunate Letter, which I will ſhew you, it came from a Lady whoſe name I believe you will gueſs; ſo he pull'd it out of his Pocket, and I read it ſo often, becauſe of the oddneſs of the expreſſion, that I can ſay, I am ſure this is the very Letter he ſhew'd me at the *Covent Garden* Tavern, the *Friday* before the laſt Aſſizes; ſaith he, the occaſion of my ſhewing it, is not to expoſe a Woman's weakneſs, but I would not willingly lie under too many Obligations, nor engage too far; nor on the other hand, would I be at an unneceſſary Expence for a Lodging. Upon this ſubject there was ſome Diſcourſe I think Foreign to this purpoſe, and therefore I would not trouble your Lordſhip with the repetition of it, that which is material is this, I did undertake to write to Mr. *Barefoot* to diſpoſe of his Lodgings, where I us'd to be at the time of the Aſſizes, and my Brother with me. I ſaid I would write the next day, being *Saturday*, but when I ſhould have writ, it was very late, and I was weary, being then tied down to the buſineſs of Parliament, and partly for that reaſon, and partly in point of diſcretion, which I had upon my ſecond thoughts, that 'twould be better for my Brother's buſineſs to be at Mr. *Barefoot's*, which is near the Court, and in the Market-place; I did neglect writing, and though I thought of it about 11 a Clock; yet as I ſaid, partly for one reaſon, and partly for the other, I did not write that time. My Lord, my Brother could know nothing of this matter, for I did not ſee him from the *Friday* he ſhew'd me the Letter, till he went to the Aſſizes, ſo that he could not know before he was at *Hertford*, that I had not writ. My Lord, I ſay as to this Letter I am ſure he ſhew'd me the *Friday* next before the laſt Aſſizes.

*Mr. Bar. Hatſell.* Let me ſee that Letter (which was ſhewn his Lordſhip.)

*Mr. Cowper.* My Lord, one or two of the Jury ſeem to queſtion whether the Letters are ſufficiently prov'd; for their ſatisfaction, I will further prove them. Call Mr. *John Beale*, *William Oker*, and Mrs. *Low*. My Lord, Mr. *Beale* is one of their own Sect.

(The Witneſſes prov'd her hand.)

*Jury.* My Lord, we are ſatisfied.

*Mr. Bar. Hatſell.* I believe you may ask her Mother, ſhe will tell you whether it be her Daughter's hand.

*Mrs. Stout.* How ſhould *I* know! I know ſhe was no ſuch perſon, her hand may be counterfeited.

*Mr. Bar. Hatſell.* But if they were written in a more ſober Stile, what would you ſay then?

*Mrs. Stout.* I ſhan't ſay it to be her hand, unleſs I ſaw her write it.

Then the Letter was ſhew'd to Mr. *Stout*.

*Mr. Stout.* 'Tis like my Siſter's hand.

*Mr. Bar. Hatſell.* Do you believe it to be her hand?

*Mr. Stout.* No, I don't believe it, becauſe it don't ſuit her character.

*Mr. Bar. Hatſell.* But do you think ſhe might not conceal from you what were her inward Thoughts.

*Mr. Stout.* Not in ſuch a degree as this.

*Mr. Cowper.* Call Mrs. *Barefoot* and her Maid. I deſire they may be ask'd what they know about my taking of Lodgings at their houſe.

*Mr. Bar. Hatſell.* That is taken for granted.

*Mrs. Barefoot.* When you came to my houſe, you ask'd me, if I had receiv'd a Letter from your Brother, and I told you no.

*Mr. Cowper.* What did I ſay to that?

*Mrs. Barefoot.* Then you ask'd me if I expected you, and I told you yes, by reaſon I had heard nothing from you.

*Mr. Cowper.* Where did I lodge that Night?

*Mrs. Barefoot.* I had prepar'd the Lodging before you came, expecting you or Mr. *Cowper* your Brother.

Mr.

*Mr. Cowper.* And did I come?

*Mrs. Barefoot.* Yes, as you us'd to do.

*Mr. Cowper.* Did I ſend for my things from the Coffee-houſe?

*Mrs. Barefoot.* Yes, you did and I carried them up into your Chamber as I us'd to do.

*Mr. Bar. Hatſell.* Where did Mr. *Cowper* dine that day?

*Mrs. Barefoot.* Mrs. *Stout* ſent her Maid to deſire him to come to dinner at their houſe, whether he went thither or no I can't ſay, but he went out.

*Mr. Cowper.* What time did I come into my Lodging at night?

*Mrs. Barefoot.* It was a little after eleven.

*Mr. Cowper.* You are ſure I came in a little after eleven. *Mrs. Barefoot.* Yes.

*Mr. Jones.* By what Clock? By the Town Clock? *Mrs. Barefoot.* Yes.

*Mr. Cowper.* Did I go out any more that night? *Mrs. Barefoot.* No.

*Mr. Cowper.* Is your Maid there? *Mrs. Barefoot.* Yes.

*Mr. Bar. Hatſell.* What is your name?

*Mrs. Hanwell. Mary Hanwell.*

*Mr. Cowper.* Pray what time was it I came to my Lodging?

*Mrs. Hanwell.* You came in a little after eleven a Clock.

*Mr. Cowper.* Are you very poſitive in that?

*Mrs. Hanwell.* Yes, I am very poſitive.

*Mr. Cowper.* What was done before I went to bed?

*Mrs. Hanwell.* My Lord, I went up and made a Fire, and then I came down again, and then I went up and warm'd Mr. *Cowper's* Bed, and then he deſir'd another Blanket, and I came down for it; and all this took up a conſiderable time; and Mr. *Cowper* was in bed before twelve a Clock.

*Mr. Cowper.* Did I go out again that night?

*Mrs. Hanwell.* No, you went out no more.

*Mr. Cowper.* Now, If your Lordſhip pleaſes, I would explain that part of *Sarah Walker* the Maid's Evidence; where ſhe ſays, her Miſtreſs ordered her to warm the Bed, and I never contradicted it: Your Lordſhip obſerves the words in the laſt of the two Letters, *No inconvenience can attend your Cohabiting with me; and afterwards I won't Fly for it: For come life, come death I am reſolv'd, and ſo on,*—— I had rather leave it to be obſerved than make the obſervation my ſelf, what might be the diſpute between us at the time the Maid ſpeaks of. I think it was not neceſſary ſhe ſhould be preſent at the debate; and therefore I might not interrupt her Miſtreſs in the orders ſhe gave; but as ſoon as the Maid was gone, I made uſe of theſe objections; I told Mrs. *Stout*, by what accident I was obliged to take up my Lodging at Mr. *Barefoot's*, and that the Family was ſitting up for me: That my ſtaying at her Houſe under theſe circumſtances, would in probability provoke the cenſure of the Town and County; and that therefore I could not ſtay, whatever my inclination otherwiſe might be; but my Lord, my reaſons not prevailing, I was forc'd to decide the controverſie by going to my Lodging, ſo that the Maid may Swear true, when ſhe ſays I did not contradict her orders.

*Mr. Bar. Hatſell.* I believe you have done now Mr. *Cowper*?

*Mr. Cowper.* No my Lord, I have more Evidence to give. Call *Elizabeth Spurr.*

If your Lordſhip pleaſes to obſerve, I have already proved by two Witneſſes that I was actually at Mr. *Barefoot's* a little after Eleven; ſo that if I was to reſt upon this proof, here is not the leaſt article of time, in which it can be ſuppoſed I was employ'd in this matter: But ſays *Sarah Walker*, the Maid to obviate (I preſume) this Evidence of mine, our Houſe-Clock went faſter than the Town-Clock: Now to anſwer this too, I ſhall further prove to your Lordſhip, that before I came to my Lodging, I was at the *Glove* and *Dolphin* Inn, where I had a little Account of about ſix or ſeven Shillings, as I remember for Horſe-keeping, and which I then paid.

*Mrs. Spurr.* Do you remember my coming to your Houſe, and at what time?

*E. Spurr.* The Clock ſtruck Eleven, juſt as you came into the door.

*Mr. Cowper.* How long did I ſtay at the *Glove*?

*E. Spurr.* About a quarter of an Hour.

*Mr. Cowper.* How far is it from the *Glove* and *Dolphin* to Mrs. *Stout's* Houſe?

*E. Spurr.* About a quarter of a Mile, or not quite ſo far.

*Mr. Cowper.* Call *Mary Kingitt*, and *Geo. Man*, (who not then appearing) in the mean time, I would obſerve to your Lordſhip, That to go from Mrs. *Stout's* Houſe to the place where ſhe was drown'd, and to return from thence to the *Glove and Dolphin*, will take up at leaſt half an hour, as I ſhall prove; and then the matter will ſtand thus: Says *Sarah Walker*, you went about a quarter after Eleven; but our Clock went half an hour too faſt: Then according to her account, I went three quarters after Ten by the Town-Clock; and if it requires, (as I ſay I ſhall prove it does) half an Hour to go to the place where ſhe was drown'd, and to return from thence to the *Glove* Inn, that would make it a quarter paſt Eleven when I came to that Inn, by the Town Clock, which it was not; and if I ſtaid there a quarter of an hour (which is proved I did) it muſt be half an hour after Eleven when I came to my Lodging by the ſame Clock, which it was not; ſo that I think this matter as to the time is very clear: My Lord, to prove the time it requires to go from Mrs. *Stouts* to the place where ſhe drown'd her ſelf, and to return to the *Glove*, I deſire Sir *William Aſhurſt* may be called.

Sir *William Aſhurſt.* My Lord, I can't ſay I walk'd as faſt as I could, but I went with a Gentleman I ſee here to ſatisfie my ſelf about the probability of this matter; I walk'd as People uſually do, and I found it took up half an Hour and a Minute, when I walk'd with that Gentleman.

*Mr. B. Hatſell.* Who was with you Sir?

*Sir William Aſhurſt.* Mr. *Thompſon* was with me, the time I mention, I walk'd it before with Sir *Thomas Lane.*

*Mr. Thompſon.*

*Mr. Thompſon.* My Lord, indeed it will take a compleat half Hour.

*Mr. Cowper.* I deſire Sir *Thomas Lane* may give you an account of the diſtance between one place and the other.

*Sir Tho. Lane.* Sir *William Aſhurſt* and I did walk to the place mentioned, and we were careful to take notice of the time, and it took up about three quarters of an Hour, according to my obſervation; and we did not ſtay at all by the way, except juſt to look upon the Hoſpital.

*Mr. Cowper.* Now my Lord, *Mary Kingitt* and *Geo. Man*, the Servants at the *Glove* are come: Pray Mrs. *Kingitt* do you remember my coming into the *Glove and Dolphin?* *M. Kingitt.* Yes.

*Mr. Cowper.* How long did I ſtay there?

*M. Kingitt.* About a quarter of an Hour.

*Mr. Cowper.* What was my buſineſs there?

*M. Kingitt.* You came and enquir'd what you ow'd.

*Mr. B. Hatſell.* What a Clock was it then?

*M. Kingitt.* I thought it was about Eleven, our t'other Maid told it Eleven.

*Mr. Jones.* How came you to take notice of the time?

*M. Kingitt.* She heard the Clock go Eleven, but I did not.

*Mr. Cowper.* Was there any diſpute about the Account?

*M. Kingitt.* You ask'd the Hoſtler how that came to ſtand in the Book, concerning the Horſe? for you told him, you thought you had paid ſome part of it, and he told you, you had not.

*Mr. Cowper.* My Lord, with your Lordſhips favour, I would ask *George Man* a queſtion to the ſame point. Do you remember my coming into the *Glove and Dolphin?* *G. Man.* Yes.

*Mr. Cowper.* How long did I ſtay there?

*G. Man.* You ſtaid about a quarter of an hour, as near as I can gueſs.

*Mr. Cowper.* I will now call a Witneſs to prove that this Maid *Sarah Walker* is not ſo cautious and careful how ſhe Swears, as I think ſhe ought to be. Call *Mrs. Mince.*

*Mr. Bar. Hatſell.* Pray wherein has *Sarah Walker* ſaid any thing that is falſe?

*Mr. Cowper.* In this, I ask'd her when ſhe gave Evidence, Whether ſhe went out to ſee for her Miſtreſs all that Night, and whether her Miſtreſs did not uſe to ſtay out a Nights; and whether ſhe her ſelf had not uſed to ſay ſo? If your Lordſhip pleaſes to remember ſhe ſaid no. Pray Mrs. *Mince* what have you heard Mrs. *Stout*'s Maid ſay concerning her Miſtreſs, particularly as to her ſtaying out all Night?

*Mrs. Mince.* She hath ſaid, That her Miſtreſs did not love to keep company with *Quakers*; and that ſhe paid for her own board and her Maids; and that when ſhe entertained any body, it was at her own charge. And ſhe hath ſaid that Mrs. *Stout* us'd to ask who is with you Child? and ſhe would not tell her; and that ſhe did entertain her Friends in the Summer-Houſe, now and then with a Bottle of Wine. And when her Mother ask'd who was there, her Miſtreſs would ſay bring it in here, I ſuppoſe there is none but Friends; and after the company was gone, ſhe us'd to make her Mother believe that ſhe went to Bed; but ſhe us'd to go out and take the Key with her, and ſometimes ſhe would go out at the Window, and ſhe ſaid particularly one time ſhe went out at the Garden Window, when the Garden door was lock't, and that ſhe bid her not ſit up for her, for ſhe would come in at any time.

*Mr. Bar. Hatſell.* Did ever *Sarah Walker* tell you that Mrs. *Stout* had ſtaid out all Night?

*Mrs. Mince.* She hath ſaid ſhe could not tell what time ſhe came in, for ſhe went to Bed.

*Mr. Cowper.* Now if your Lordſhip pleaſe, I will prove to you, if it may be thought material, that *Gurney*, at whoſe Houſe theſe Gentlemen lodged, ſhould ſay, That if I had viſited Mrs. *Stout* none of all this had been (upon ſo little an omiſſion, it ſeems did this proſecution depend) to which I give this Anſwer, my Lord, I never did once go to viſit her in my Life; ſhe knows it. Now for a Man officiouſly to make a new viſit in the time of the Aſſizes, one engaged in buſineſs as I was, and eſpecially upon ſo melancholly an occaſion, I ſay for me to go officiouſly to ſee a Woman I never had the leaſt knowledge of, would have been thought more ſtrange (and juſtly might have been ſo) than the omiſſion of that ceremony. For my part I cannot conceive what Mr. *Gurney* could mean this being the Caſe; by ſaying, that if I had viſited Mrs. *Stout*, nothing of this had happened.

*Mr. B. Hatſell.* Mr. *Cowper*, he is not the Proſecutor, I think it is no matter what he ſaid.

*Mr. Cowper.* I take it my Lord, with humble ſubmiſſion, it is material as he is a principal Witneſs againſt theſe Gentlemen; and the rather for that he now pretends, that what he did was out of Confidence. My Lord, I have only one thing more to ſay, I know not whether it will be requiſite for me to give ſome account of my ſelf, Sir *William Aſhurſt*, if you pleaſe.

*Sir William Aſhurſt.* My Lord, if I had not had a good opinion of this Gentleman, I had not come on purpoſe to hear this Cauſe, which has made ſo great a noiſe all *England* over.

*Mr. Bar. Hatſell.* But what do you ſay as to Mr. *Cowper*'s Reputation, for which you are called?

*Sir W. Aſhurſt.* I always thought Mr. *Cowper* to be a Gentleman of ſingular Humanity and Integrity: he's an Officer in *Yonder*, and as to his management of his Office, I think no Man ever performed it better, or has a better reputation in the place where he lives.

*Sir Tho. Lane.* My Lord, I came hither on purpoſe to own this Gentleman, and indeed he deſerves to be owned by his friends, and thoſe that know him; his Character is altogether untainted with us, he has gained a good Reputation in the buſineſs wherein he is concerned; he has behaved himſelf in his Office which he holds of the City of *London*, very honeſtly and well; I never knew him diſcover any ill nature in his temper, and I think he cannot be ſuſpected of this or any other act of Barbarity.

*Mr. Cowper.* My Lord, in the next place, I would call Mr. *Cox*, who has the honour to ſerve in Parliament, for the Burrough of *Southwark*, and has been my near Neighbour theſe Eight or Nine Years. If you pleaſe Mr. *Cox*, give an account what Reputation and Character I have in that place.

*Mr. Cox.*

*Mr. Cox.* My Lord, I live in *Southwark*, where Mr. *Cowper* lives; I have lived by him 8 or 9 Years, I know him to be a perſon of Integrity and Worth; all the Neighbours court his company, I take him to have as much Honour and Honeſty as any Gentleman whatſoever; and of all Men that I know, he would be the laſt Man, that I ſhould ſuſpect of ſuch a Fact as this is: I believe nothing in the World could move him to entertain the leaſt thought of ſo foul a Fact.

*Mr. Comper.* Mr. *Thompſon*, I deſire you would be pleas'd to give an account of what you know of me.

*Mr. Thompſon.* If you pleaſe, my Lord, the firſt acquaintance I had with Mr. *Comper*, was in our Childhood, I had the honour to go to *Weſtminſter* School with him; I did not renew my acquaintance with him till about Five Years ago; ſince that time I have been often with him, and have ſeveral times had occaſion to ask his advice, in matters relating to his Profeſſion: and I think no Man more faithful in the ſervice of his Clyent than he is, and I am ſure he is very deſerving of the eſteem of any Man, and I believe he never entertain'd a thought of ſo fowl and barbarous a Fact as this, of which he is accuſed.

*Mr. B. Hatſell.* Mr. *Marſon*, you have heard the Evidence, what do you ſay to it?

*Mr. Marſon.* My Lord our buſineſs at *Hartford* was this, Mr. *Ellis Stephens* and I went down, he is Clerk of the Papers of the *King's Bench* and Mr. *Rogers* is Steward of the *King's Bench*, and it was their Duty to wait upon my Lord Chief Juſtice with the Marſhal of the *King's Bench* out of Town, and on *Monday* Morning we went to my Lord Chief Juſtice's Houſe in *Lincolns-Inn-Fields* as we uſed to do, and there ſet out, but I being an Attorney of the Borough Court could not with any convenience go farther with them than to a place which I think is called *Kingſland*, and therefore I returned to my Buſineſs in *Southwark*, where I attended the Court as was cuſtomary and neceſſary for me to do, and ſet forth from thence at paſt 4 in the Afternoon; by the way as I remember about *Waltham-Croſs* I met one Mr. *Hanks* a Clergyman of my acquaintance who had been likewiſe to attend my Lord Chief Juſtice to *Hertford* and was returning from thence, with ſome perſwaſion I prevailed with him to go back again with me to *Hertford*, telling him, I did not know the way, and we gallop'd every ſtep of it becauſe Night was coming on, it was about 8 a Clock when we came in, Mr. *Hanks* and I found the Marſhal, Mr. *Stevens*, Mr. *Rogers*, Mr. *Rutkin*, and others of the Marſhal's Acquaintance at the Coffee-Houſe; and truly when I came in I might for ought I know be in a Sweat with riding ſo hard as we did, but even then I was not in ſuch a Sweat as the Witneſs would have it. My Lord, we went from thence to the *Glove and Dolphin* and ſtayed there till about 11 a Clock, Mr. *Rogers* and I had a Diſpute who ſhould lie with Mr. *Stevens* at the now Witneſs Mr. *Gurry's*, at laſt it was agreed between us to go to *Gurry's* to ſee what Convenience he could make for us, and Mr. *Rutkin* and Mr. *Hanks* went with us with deſign to drink a Glaſs of Wine at our Lodging, but afterwards it came in Mr. *Rutkin's* Head, that he was to lie with the Marſhal, and for that reaſon he ſaid he would go back again, and accordingly he went, and Mr. *Hanks* with him after they had ſeen us into our Lodgings, and Mr. *Stevens* and Mr. *Rogers* and I drank 3 Bottles of Wine together, Mr. *Gurry* our Landlord was ſent to fetch it; and afterwards in jocular Converſation I believe Mr. *Stevens* might ask Mr. *Gurry* if he knew one Mrs. *Sarah Stout*, and the reaſon why he ask'd that Queſtion our Witneſſes will explain; I believe he might likewiſe ask, what ſort of Woman ſhe was; and poſſibly I might ſay the words, *My Friend may be in with her*, tho' I remember not I did ſay any thing like it, but I ſay there is a poſſibility I might, becauſe I had heard ſhe had deny'd Mr. *Marſhal's* Suit, and that might induce me to ſay, *my Friend may be in with her*, for all that I remember, I confeſs Mr. *Rogers* ask'd me what Money I had got that Day, meaning at the Borough Court, I anſwer'd, Fifty Shillings, ſaith he, we have been here a ſpending our Money, I think you ought to treat us, or to that purpoſe; as for the Bundle mention'd, I had no ſuch except a pair of Sleeves and a Neckcloth: As to the Evidence which goes to words ſpoken, the Witneſſes have fruitful Inventions, and as they have wreſted and improved the Inſtances I have been particular in, to have the reſt, or otherwiſe forged them out of their own Heads.

Mr. *Bar. Hatſell.* Mr *Rogers*, what do you ſay to it?

Mr. *Rogers.* We came down with the Marſhal of the King's Bench, it rained every ſtep of the way, ſo that my Spatter-daſhers and Shoes were fain to be dried; and it raining ſo hard we did not think Mr. *Marſon* would have come that day, and therefore we provided but one Bed, tho' otherwiſe we ſhould have provided two, and were to give a Crown for our Nights Lodging; we went from the Coffee-houſe to the Tavern, as Mr. *Marſon* has ſaid, and from the Tavern the next way to our Lodging, where there was ſome merry and open Diſcourſe of this Gentlewoman, but I never ſaw her in my life, nor heard of her Name before ſhe was mention'd there.

Mr. *Stevens.* We never ſtirr'd from one another, but went along with the Marſhal of the *Kings-Bench* to accompany my Lord Chief Juſtice out of Town, as is uſual.

Mr. *Bar. Hatſell.* I thought it had been uſual to for him go but half of the way with my Lord Chief Juſtice.

*Rogers.* They generally return back after they have gone half the way, but ſome of the head Officers go through...

Mr. *Stevens.* It was the firſt Circuit after the Marſhal came into his Office, and that's the reaſon the Marſhal went the whole way.

Mr. *Bar. Hatſell.* Did not you talk of her Courting-days being over?

*Priſoners.* Not one word of it, we abſolutely deny it. Mr. *Stevens*, I never ſaw her.

Mr. *Jones.* Mr. *Marſon*, did you ride in Boots? Mr. *Marſon*, Yes.

*Mr. Jones.* How came your Shoes to be wet?

*Mr. Marſon.* I had none. Call *Mr. Heath*, *Mr. Hunt*, and *Mr. Foſter*.

*Mr. Marſon.* *Mr. Hunt* will you pleaſe to acquaint my Lord and the Jury with what Diſcourſe we had on *Sunday* Night before the Aſſizes at the *Old Devil Tavern* at *Temple Barr*.

*Mr. Hunt.* On *Sunday* night I happened to be in company with *Mr. Marſon* and 3 or 4 more of *Clifford's Inn*, and there was a Diſcourſe of the Marſhall's attending my Lord Chief Juſtice out of Town to *Hertford*, and *Mr. Marſon* ſaid, *It may be the Marſhal may require my waiting upon him too*; and the whole Company being known to Mr. *Marſhall*, and there being a Diſcourſe of Mr. *Marſhall's* courting of Mrs. *Stout*, ſaith one of the Company, *If you do go to* Hertford *pray enquire after Mr. Marſhall's Miſtreſs, and bring us an account of her.*

*Mr. Jones.* Who was in company?

*Mr. Hunt.* There was *Mr. Heath*, *Mr. Foſter*, *Mr. Marſon*, *Mr. Stevens*, *Mr. Bevor*, and *Mr. Marſhall.*

*Mr. Marſon.* Now it was this Diſcourſe that gave us occaſion to talk of this Woman at *Gurreys* Houſe, which we did openly and harmleſsly. *Mr. Foſter*, Do you remember any thing of our talking of this Gentlewoman on *Sunday* Night?

*Mr. Foſter*, Yes, I and they were talking that they ſhould go to *Hertford* the next Day, to wait on the Marſhall in compliment to my Lord Chief Juſtice, and go as far as *Hertford*; and there being a Report, that Mr. *Marſhall* courted this Woman, we put it in a jeſting way, *Pray enquire after Mr. Marſhall's Miſtreſs how the Match goes on, for there was ſome Wagers between him and the Company who ſhould be married firſt*: and ſo in a jocular way it went about, and *Mr. Marſon* or *Mr. Stevens* ſaid, *They would do their endeavour, and they would enquire after the Lady, and give as good an account of her as they could.*

*Mr. Stevens.* If you pleaſe, my Lord, we will call another to this purpoſe.

*Mr. Bar. Hatſell.* No, I think you need not, for it ſeems not material.

Then *Mr. Hanks* was call'd.

*Mr. Hanks*, I came as far as *Waltham's Croſs* to wait upon my Lord Chief Juſtice, I ſtaid there till about 4 or 5 a Clock, and then ſet out for *London*, and I met with *Mr. Marſon* who importun'd me to go back with him to *Hertford*, and accordingly I did ſo, and we came in about 7 or 8 at Night, and we enquired after the Marſhal of the *King's Bench* and where he had ſet up his Horſes, and we found him in the Coffee-Houſe juſt by the Court and we went and ſet up our Horſes, and came again to him, from thence we went to the *Glove and Dolphin Tavern*, theſe 3 Gentlemen and the Marſhall, and one Mr. *Rudkin* came afterwards to us, and we ſtaid till about 11 at the *Glove* and *Dolphin.*

*Mr. Marſon.* Do you remember how we rid?

*Mr. Hanks.* Yes, very hard.

*Mr. Bar. Hatſell.* What time did you come in to the Tavern?

*Mr. Hanks.* Between 7 and 8 as I remember.

*Mr. Bar. Hatſell.* And did you ſtay there till paſt 11?

*Mr. Hanks.* Till about 11, little more or leſs, we went away together in order to drink a Glaſs of Wine with them at their Lodging, but *Mr. Rutkin* conſidering that he was to drink a Glaſs of Wine, and lye with the Marſhall, thought it would diſturb the Marſhall, ſo ſaith he, *I will not go in*, but we ſaw them go into their Lodgings and returned to the *Bull*, where we eat part of a Fowl, and I was never out of *Mr. Marſon's* company all that time.

*Mr. Marſon.* When you took your leave of me, don't you remember that the Door was clapt too?

*Mr. Hanks.* I can't remember that.

Mr. *Marſon.* *Mr. Gurry* ſaith, I never went out after I came home. *Mr. Rutkin* pray give an account to my Lord and the Gentlemen of the Jury of what you know of my coming to *Hertford.*

*Mr. Rutkin.* My Lord, I came to wait on the Marſhal of the *King's Bench* to *Hertford*, and when we were come to *Hertford* we put up our Horſes at the Bull, and made our ſelves a little clean, we went to Church, and din'd at the *Bull*, and then we walk'd in and about the Court and diverted our ſelves till about 7 a Clock, and between 7 and 8 a Clock came Mr. *Marſon* and Dr. *Hanks* to Town, and then we agreed to go to the *Dolphin and Glove* to drink a Glaſs of Wine, the Marſhall went to ſee an ancient Gentleman and we went to the *Dolphin and Glove* and ſtaid there till paſt 10 a Clock, and after the Reckoning was paid we went with them to their Lodging with a Deſign to take a Glaſs of Wine, but then I conſider'd I was to lie with the Marſhal, and for that reaſon I reſolv'd not to go in, but came away, and went to the *Bull Inn*, and after I drank part of a Pint of Wine, and afterwards I went to the next Door to the *Bull Inn* where I lay with the Marſhall.

*Mr. Jones.* What time did the Gentlemen go to their Lodging?

*Mr. Rutkin.* I am not poſitive as to that, but I believe it was about 11 a Clock.

Mr. *Marſon.* If your Lordſhip pleaſes now I'll call ſome Perſons to give an Account of me.

Mr. *Cox.*

Mr. *Cox.* I have known Mr. *Marſon* a long time, and had always a good Opinion of him, I don't believe 5000*l.* would tempt him to do ſuch a Fact.

Mr. *Marſon.* Capt. *Wiſe* I deſire you would pleaſe to ſpeak what you know of me.

Mr. *Cowper.* My Lord, becauſe theſe Gentlemen are Strangers in the Country I think if in taking an account of any Evidence for my ſelf there is any thing occurs to me that they may have a juſt advantage of, I think I ought not to conceal it, for I am as much concern'd to juſtifie their Innocence as my own: The principal Witneſs againſt them is one *Gurrey*, and I will prove to you, that ſince he appear'd in this Court and gave his Evidence he went out in a triumphant manner, and boaſted, that he by his management had done more againſt theſe Gentlemen than all the Proſecutors Witneſſes could do beſides; to add to that I have another piece of Evidence that I have been juſt acquainted with. My Lord, it is the Widow *Davis*, *Gurrey's* Wives Siſter that I would call.

*Major Lane*, My Lord, I have known Mr. *Marſon* ever ſince he was two years old, and never ſaw him but a civiliz'd Man in my life; he was well bred up among us, and I never ſaw him given to Debauchery in all my life.

*Mr. Bar. Hatſell*, Where do you live?

*Major Lane*, In *Southwark*, my Lord.

*Mr. Bar. Hatſell*, Well, what do you ſay, Mrs. *Davis*?

Mrs. *Davis*, I came to the Houſe where theſe Gentlemen lodg'd, I was in about half an Hour, and my Siſter ask'd me to air two or three Pair of Sheets; when I had air'd the Sheets ſhe ask'd me to go up and help to lay them on, and before I had laid them on, theſe Gentlemen came into the Room.

Mr. *Bar. Hatſell*, What Hour?

Mrs. *Davis*, By the time of my going out again I believe it might be about 10, or ſomething better, and they drank three Quarts of Wine, and they had ſome Bread and Butter and Cheeſe carried up, and ſo they went to Bed, and after my Brother went to fetch Mr. *Gape*, that lay at his Houſe, from *Hockley*'s.

Mr. *Cowper*, I only beg leave to obſerve, that *Gurrey* deny'd that he went for him.

*Mr. Bar. Hatſell*. Ay, but this ſignifies very little whether it be true or falſe.

*Mrs. Davis*. The next day after theſe Gentlemen were about the Town, and ſhe ſaid, ſhe did believe they were come to clear a young man (a Miniſter's Son) that was tried at the Barr for robbing the Mail; I ask'd, why ſhe thought ſo, ſhe ſaid ſhe was ſure of it, and I ask'd her how ſhe could be ſure of it, when ſhe was never told ſo, why, ſaid I, then do they accuſe theſe Gentlemen, they ought rather to take up the Gentleman that was with Mrs. *Stout*'s Maid; and ſhe ſaid, if they took up Mrs. *Stout*'s Maid they ſhould have never a Witneſs.

*Mr. Bar. Hatſell*. Who was that that was talking with Mrs. *Stout*'s Maid?

*Mrs. Davis*. I don't know, but ſhe ſaid ſhe did not like their actions, and therefore ſhe ought to have been examined who ſhe was with.

*Capt. Wiſe*. I have known Mr. *Marſon* ſeveral years, and he is a perſon of as fair Reputation as any in the Borrough.

*Mr. Reading*. I have been acquainted with Mr. *Marſon* Twenty years, he lives near the Houſe where I now do; he has a general good Character among his Neighbours, for a fair man in his Practice, an honeſt man, and a man of good Converſation.

*Mr. Bar. Hatſell*. Well Mr. *Stevens* what do you ſay?

*Mr. Stevens*. I deſire Sir *Robert Auſtin* to give an account of me.

*Sir Robert Auſtin*. I have known Mr. *Stevens* many years; his Brother is Captain in a neighbouring County, he is reckon'd not only an honeſt man in his Practice, but has the general character of a good natur'd man, and he is ſo far from being a perſon likely to do ſuch an action, that for a younger Brother, he was very well provided for; his Father left him a Thouſand Pound, and he is Clerk of the Papers, which is reputed worth a Hundred Pound a year, and is in good practice beſides.

*Juryman*. I have known him ſeveral years, and he hath the ſame reputation Sir *Robert* hath given him.

*Sir John Shaw*. I know Mr. *Stevens*, and his Brother Captain *Stevens*: As to this Gentleman, he hath always behav'd himſelf well in our Country, and hath the character of an honeſt Gentleman.

*Mr. Evans*. I have known him for theſe eight years, and to be a very civil Perſon, and well educated, and never heard but a good character of him, I have alſo known Mr. *Marſon* theſe 10 years, and never ſaw any ill by him, and do believe, that he or the other would not have done ſuch an ill thing to have gain'd this County.

*Mr. Menlove*. My Lord, Mr. *Stevens* was my Clerk, and he behav'd himſelf very honeſtly with me. And ſince that, I have kept a Correſpondence with him, and I believe he would not do ſuch a thing for all the world.

*Mr. Bar. Hatſell*. Call ſome body to ſpeak for Mr. *Rogers*, if there be any.

*Mr. Evans*. My Lord, Mr. *Rogers* hath a general character in *Southwark* for a very honeſt man.

*Mr. Rogers*. Pray call Mr. *Lygoe*.

Sir, pleaſe to give my Lord and the Court an account what you know of me.

*Mr. Lygoe*. My Lord, I have known all the three Gentlemen at the Bar, but particularly, Mr. *Rogers* and Mr. *Stevens* from their Infancy. I have employ'd them both in buſineſs ſeveral times, and always found them fair Practicers; and believe neither of them would be guilty of doing an ill Act.

*Mr. Rogers*. Call Mr. *Thurlby*.

Sir, pray give the Court an account how I behaved my ſelf in your Service.

*r. Bar. Hatſell*. Come, Mr. *Thurlby*, what do you ſay of Mr. *Rogers*?

*Mr. Thurlby*. My Lord, Mr. *Rogers* lived with me about eight years, in which time I frequently truſted him with very great Summs of Money, I ever found him juſt and faithfull, and can't believe, that any Money could tempt him to do an act of this kind.

*Mr. Jones*. My Lord, we inſiſt upon it, that Mr. *Cowper* hath given a different evidence now from what he did before the Coroner, for there he ſaid he never knew any Diſtraction, or Love-fit, or other occaſion ſhe had to put her upon this extravagant Action. Now here he comes and would have the whole Scheme turn'd upon a Love fit. Call *John Maſon*, (who was ſworn.)

*Mr. Bar. Hatſell*. What do you ſay, Sir, to this matter?

Mr.

*Mr. Stout.* When Mr. *Cowper* was examined before the Coroner, he was ask'd, if he knew any reaſon why ſhe ſhould do ſuch a thing, and he ſaid, ſhe was a very modeſt Woman, and he knew no cauſe why ſhe ſhould do ſuch a thing as this. *John Maſon* was you by when when Mr. *Cowper* gave evidence before the Coroner.

*Maſon.* Yes.

*Mr. Jones.* What did he ſay?

*Maſon.* He ſaid he did not know any thing was the cauſe of it, but ſhe was a very modeſt perſon.

*Mr. Jones.* Was he upon his Oath?

*Maſon.* Yes, he was.

*Mr. Bar. Hatſell.* When did he ſay this?

*Maſon.* It was the ſame day that ſhe was found.

*Mr. Jones.* Did they ask him any queſtion, if he knew any perſon that ſhe was in Love with.

*Maſon.* He ſaid he knew but of one, and his name was *Marſhall*, and Mr. *Marſhall* told him, that he was always repulſed by her.

*Mr. Stout.* I deſire *John Archer* may be ask'd the ſame queſtion, (who was ſworn.)

*Mr. Jones.* Was you preſent with the Coroner's Inqueſt?

*J. Archer.* Yes.

*Mr. Jones.* Was Mr. *Cowper* examined by them?

*J. Archer.* Yes, he was.

*Mr. Jones.* What did he ſay concerning Mrs. *Stout* then?

*J. Archer.* They ask'd him, if he knew any occaſion for Mrs. *Stout*'s Death, and he ſaid he knew nothing of it, or of any Letters.

*Mr. Cowper.* Then I muſt call over the who Coroner's Inqueſt to prove the contrary.

*Mr. Bar. Hatſell.* Did they ask him concerning any Letters?

*J. Archer.* They ask'd him, if he knew of any thing that might be the occaſion of her Death.

*Mr. Bar. Hatſell.* I ask you again, if they ask'd him if he knew of any Letters?

*J. Archer.* My Lord, I don't remember that.

*Mr. Stout.* I would have called ſome of the Coroner's Inqueſt, but I was ſtopt in it.

*Juryman.* We have taken Minutes of what has paſt, if your Lordſhip pleaſe, we will withdraw.

*Mr. Bar. Hatſell.* They muſt make an end firſt.

*Mr. Jones.* If your Lordſhip pleaſe, we will call one Witneſs to falſifie one piece of their Evidence, and that is one Widow *Larkin*, (who was ſworn.)

*Mr. Jones.* Do you remember one Mr. *Rutkins* being at your houſe?

*Larkin.* Yes.

*Mr. Jones.* At what time did he come in?

*Larkin.* Between 9 and 10 of the Clock.

*Mr. Jones.* Was the Marſhall then in the houſe?

*Larkin.* No, the Marſhall did not come till near an hour after.

*Mr. Jones.* Did not he go out afterwards?

*Larkin.* Not that I know of.

*Mr. Rutkins.* I am ſatisfied it was paſt eleven when I came in.

*Mr. Bar. Hatſell.* It is likely it may be true, for I believe they did not keep very good hours at that time.

*Mr. Stout.* I deſire to call ſome Witneſſes to my Siſter's Reputation.

*Mr. Jones.* My Lord, they would call Witneſſes to this Gentlewoman's Reputation, I believe the whole Town would atteſt for that, that ſhe was a Woman of a good Reputation; indeed they have produced ſome Letters without a name, but if they inſiſt upon any thing againſt her Reputation we muſt call our Witneſſes.

*Mr. Bar. Hatſell.* I believe no body diſputes that, ſhe might be a vertuous Woman, and her Brains might be turned by her Paſſion or ſome Diſtemper.

Gentlemen of the Jury, you have heard a very long Evidence; I am ſure, that you can't expect that I ſhould ſumm it up fully; but I will take notice of ſome things to you, that I think are moſt material, and if I omit any thing that is material, I would deſire Mr. *Jones* (that is Council for the King) and Mr. *Cowper*, to put me in mind of it.

The Indictment againſt the Priſoners at the Bar, is for a very great crime, it is for Murther, which is one of the moſt horrid of all Crimes: you are to conſider firſt, what Evidence you have heard to prove it; and though there be no direct proof, you are to conſider what is circumſtantial.

They do begin with *Sarah Walker*, who was Mrs. *Sarah Stout*'s Maid, and ſhe tells you, That Mr. *Cowper*, when he came to this Town upon the *Monday* 13th of *March* laſt, came to Mrs. *Stout*'s houſe and dined there, and went away about four of the Clock in the Afternoon; but ſhe tells you, that the *Friday* before, there came a Letter from Mr. *Cowper*'s Wife to Mrs. *Stout*, to let her know, that Mr. *Cowper* would come and lodge at their houſe at *Hertford* at the Aſſizes, ſo that when he came, ſhe thought that he had intended to have done according to that Letter.

ſhe ſaith, that after dinner Mr *Cowper* went away, and came again at 9 at night, and there he ſupped, he was deſired ſo to do, (and indeed had been invited to Dinner alſo that day,) and ſhe doth ſay, that after Supper, there was a Fire made in his Chamber (for this young Gentlewoman Mrs *Stout*, preſt him to lye at their houſe) and ſhe ordered the Maid to warm his Bed, and I believe, ſays ſhe, Mr *Cowper* heard her ſay ſo, for he was nearer to her than I at that time, and he doth not deny, but that he heard it; ſhe ſays, that accordingly ſhe went up to warm the Bed, and having ſtaid there a while, ſhe heard the door clap, and when ſhe came down into the Parlour, where ſhe had left them, they were both gone, and that ſhe could not tell what the meaning of it was, and they waited for her all night, old Mrs *Stout* and this Maid, and ſhe did not come in all night, nor was afterwards ſeen alive. But Mr *Cowper* was the laſt perſon ſeen in her Company.

The other witneſſes that came afterwards ſpeak concerning the finding of the Body in the River, and tell you in what poſture it was, I ſhall not undertake to give you the particulars of their Evidence, but they tell you ſhe lay on her right ſide, the one arm up even with the ſurface of the water, and her body under the water, but ſome of her Cloaths were above the water, particularly one ſays the ruffles of her left arm were above the water, you have heard alſo what the Doctors and Surgeons ſaid on the one ſide and the other concerning the ſwimming and ſinking of dead bodies in the water, but I can find no certainty in it, and I leave it to your conſideration.

Another circumſtance they build on, and which ſeems to be material, is of her Belly being lank, and that there was no ſwelling, whereas, ſay they, when a perſon is drowned, there is a great deal of water goes in, and makes the belly to ſwell, but here was no ſwelling that morning ſhe was taken out, and no water come out of her mouth and noſtrils, only a little froth there was, and her Belly was lank, but, ſay they, on the other ſide, that may very well be, for perhaps ſhe might be choaked immediately, as ſoon as ſhe was in the water, and, ſay they, you may not wonder at that, for if ſhe went drown herſelf, ſhe would endeavour to be choaked as ſoon as ſhe could, for thoſe perſons that are drowned againſt their own conſent do ſwallow a great deal of water, but thoſe that drown themſelves don't ſwallow much water, for they are choaked immediately by the water going into the Windpipe, that we commonly call going the wrong way. The Doctors and Surgeons have talkt a great deal to this purpoſe, and of the waters going into the Lungs or the Thorax, but unleſs you have more ſkill in Anatomy than I, you won't be much edified by it, I acknowledge I never ſtudied Anatomy, but I perceive that the Doctors do differ in their notions about theſe things, but as to matter of fact it is agreed to by all the witneſſes for the King, that her body was lank, her belly was thin, and there was no ſign of any water to be in it. They on the other ſide tell you, that her Stays was on, and ſhe was ſtreight laced, and that might occaſion her bellys being ſo ſmall, and hinder the water from going in.

Gentlemen, I was very much puzzled in my thoughts, and was at a loſs to find out what inducement there could be to draw in Mr *Cowper*, or theſe 3 other Gentlemen to commit ſuch a horrid barbarous Murder. And on the other hand, I could not imagin what there ſhould be to induce this Gentlewoman, a perſon of a plentiful Fortune, and a very ſober good reputation, to deſtroy her ſelf.

Now Gentlemen, I muſt confeſs the evidence that the Defendants have given by theſe Letters, if you believe them to be this Gentlewomans hand writing, do ſeem to fortifie all that Mr *Cowpers* witneſſes have ſaid concerning her being melancholy, it might be a love diſtraction, and ſhe might have been a vertuous woman for all that, for it might be a diſtemper which came upon her, and turned her Brains, and diſcompos'd her mind, and then no wonder at her writing thus, in a manner different from the reſt of the actions of her Life. Gentlemen, you are to conſider and weigh the Evidence, and I will not trouble you any more about that matter. As to theſe 3 other Gentlemen that came here to this Town at the time of the laſt Aſſizes, what there is againſt them you have heard, they talkt at their Lodging at a ſtrange rate concerning this Mrs *Sarah Stout*, ſaying her buſineſs is done, and that there was an end of her Courting days, and that a Friend of theirs was even with her by this time. What you can make of it, that I muſt leave to you, but they were very ſtrange expreſſions, and you are to judge whether they were ſpoken in jeſt as they pretend, or in earneſt. There was a Cord found in the Room, and a Bundle ſeen there, but I know not what to make of it. As to Mrs *Stout*, there was no ſign of any circle about her Neck, which, as they ſay, muſt have been if ſhe had been ſtrangled. Some ſpots there were, but it is ſaid poſſibly thoſe might be occaſioned by rubbing againſt ſome Piles or Stakes in the River. Truly, Gentlemen, theſe three men by their talking have given great cauſe of ſuſpition, but whether they, or Mr *Cowper*, are guilty or no, that you are to determin. I am ſenſible I have omitted many things, but I am a little a faint, and cannot repeat any more of the Evidence.

*Jury.* We have taken Minutes, my Lord.

Mr Baron *Hatſell.* Well, then Gentlemen, go together, and conſider your Evidence, and I pray God direct you in giving your Verdict.

Then one was ſworn to keep the Jury, and in about half an hour the Jury returned.

*Cl. of Arr.* Gentlemen, are you all agreed in your Verdict?

*Omnes.* Yes.

*Cl. of Ar.* Who ſhall ſay for you?

*Omnes.* Foreman.

*Cl. of Arr. Spencer Cowper.* Hold up thy hand, (which he did) Look upon the Priſoner; how ſay you? Is he guilty of the Felony and Murder whereof he ſtands Indicted, or not guilty?

*Foreman.* Not guilty.

In like manner the Jury did give their Verdict, that *John Marſon*, *Ellis Stevens*, and *William Rogers* were not guilty.

The

# The Examination of *John Marſon*, taken before me this 7th day of *April*, 1699.

*This ſhould have been inſerted in the beginning of page 23.*

WHo being examined where he was on *Monday* the 13th of *March* laſt, ſaith, that he was at the Burrough of *Southwark* (he being an Attorney of the ſaid Court) till paſt four of the Clock in the afternoon; and ſaith that he ſet out from *Southwark* for *Hartford* ſoon after, and came to *Hartford* about 8 of the clock the ſame afternoon, and put up his Horſe at the ſign of an Inn there, and then went to the *Hand and Glove*, together with *Godfrey Gimbart*, Eſq; *Ellis Stevens*, *William Rogers*, and ſome others, where they ſtaid till about eleven of the clock at night, and then this Examinant went thence directly to the houſe of *John Gurrey*, with the ſaid *Stevens* and *Rogers*, who lay all together in the ſaid *Gurrey*'s houſe all that night. And being asked what he ſaid concerning the ſaid Mrs *Sarah Stout* deceaſed, this Examinant ſaith, that on *Sunday* the 12th of *March* laſt, this Examinant being in company with one Mr *Thomas Marſhall*, and telling him that this Examinant intended the next day for *Hartford* with the Marſhal of the *Kings Bench*, the ſaid *Thomas Marſhall* deſired this Examinant and the ſaid *Stevens*, who was then alſo in company, that they would go and ſee the ſaid *Sarah Stout* (his Sweet-heart) He confeſſeth that he did ask the ſaid *Gurrey* if he would ſhew this Examinant where the ſaid *Stout* lived, telling the ſaid *Gurrey* that his name was *Marſhal*, and asked him if he never heard of him before, and jocularly ſaid that he would go to ſee her the next morning; but doth not believe that he ſaid any thing that any friend was even with the ſaid *Sarah Stout*, or to ſuch like effect. And doth confeſs that he did the next day upon the ſaid *Gurrey*'s telling him that the ſaid *Stout* was drown'd, ſay that he would keep his word, and would ſee her. And ſaith, that meeting with Mr *Cowper* (who is this Examinants acquaintance) he believes he did talk with him concerning the ſaid *Stout*'s being drowned, this Examinant having ſeen her body that Morning.

*John Marſon.*

*Capt. Die & Anno antedict. coram*

J. Holt.

*FINIS.*

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## *ADVERTISEMENT.*

THe Tryals and Condemnation of *Charnock*, *King*, and *Keys*, Sir *William Parkins*, Sir *John Friend*, *Ambroſe*, *Beckwood*, *Lowick* and *Cranbourne*, for High Treaſon. Printed for *Iſ. Cleave*, near *Serjeants* Inn in *Chancery-lane*.

* The Characters, or the Manners of the Age. By Monſieur de la Bruyere, of the French Academy. Made Engliſh by ſeveral hands. With the Characters of Theophraſtus, Tranſlated from the Greek. And a prefatory diſcourſe to them, by Monſieur de la Bruyere. To which is added, a Key of his Characters. Printed for John Bullord, and ſold by Mr Gilliflower in Weſtminſter Hall; Ben. Took, next the Temple Gate, Chriſtopher Bateman, at the Bible in Pater-noſter-Row, and Richard Parker at the Unicorn on the Royal Exchange, Booksellers.

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# A DECLARATION OF THE Most Christian King, SHEWING THE REASONS [redacted] PLENIP[redacted]TIARIES FROM THE Treaty at Cologne.

K. France.
Louis XIV. King

In the SAVOY,
Printed by Tho. Newcombe, 1674.

# *The moſt* Chriſtian Kings *Reaſons, for Recalling his Ambaſſadors from* Cologne.

ALthough the late Attempt Commited on the Perſon of *William* Prince of *Furſtemberg*, Plenipotentiary for the Elector of *Cologne*, in the very City of *Cologne* it ſelf, the Place appointed for the Treaty of Peace, hath been done by ſome of the Officers and Souldiers belonging to the Regiment of *Grana*, one of the Regiments of the Imperial Army; yet the King of *France* would not at firſt look upon the Emperor, as being the Author of ſo Odious an Action, his Majeſty ever reflecting on himſelf, and knowing, that nothing in the World ought to be held ſo Sacred and Inviolable among Kings and Soveraigns, as the true and exact obſervation of their Word. He thought he ſhould do too great an Injury to his Imperial Majeſty, by believing him capable of violating, by ſo horrid an Act, a Faith he had ſo ſolemnly given, not only to the whole Empire at the Diet of *Ratisbonne*, but even to all *Europe*, for the ſecure Neutrality of a Town, from whence all Chriſtendome did expect a happy Calm.

It was in that Proſpect, and for no other conſideration, that his Moſt Chriſtian Majeſty did ſuſpend his juſt Reſentment of ſuch an Attempt; being ſtill willing to give the Emperor time to Declare, that it was done without his Order, gladly expecting to ſee the Chaſtiſement he ſhould inflict on the Offendors, to waſh away the Blur they had made on his Reputation, by doing which, the Emperor would have made it appear to the World, that his Intention was not to infract the Publick Faith, nor hinder the preſent Negociation for Peace. For theſe Reaſons, his Majeſty forbore commanding his Ambaſſadors away from *Cologne*, though the Neutrality of that Town, ſo lately violated, afforded him ground lawful enough, to fear they could not remain there any longer with Safety. And indeed, that which his Majeſty ſo juſtly feared, hath ſince prov'd but too true in the ſequel, the ſame Security which was violated before on the Perſon of a Publick Miniſter belonging to a Prince Allied to his Majeſty, was ſoon broken afreſh on that of his own Ambaſſadors, in the ſame Place, their Liveries and other Equippages having been publickly Arreſted, and a great and conſiderable Sum of Moneys belonging to his Majeſty, ſeaz'd on, and detain'd forcibly, by Order from the Chief Commander of the ſaid Regiment of *Grana*, the ſaid Moneys being Loaded on one of their own Waggons. And all this done in a City, in which Freedom and Liberty is allow'd, common to all the World: having beſides, caus'd an Expreſs, ſent by the Count *de Chamilly* to the ſaid Ambaſſadors, to be both Arreſted and Searcht. In a word, *Cologne* which till then, had been Conſecrated for the Publick Security of all *Europe*, is by a monſtrous Change, become on a ſuddain, a moſt Bloody Theater, where on thoſe very Troops deſigned for the preſervation of the Neutrality ofthe Place, being by the Magiſtrates

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And now Beloved, if you have any Regard to your Country which lies bleeding under theſe dreadful Extremities, Bring the King to his Juſt and Undoubted Right, That is the only way to be freed from theſe Misfortunes, and to ſecure all thoſe Rights and Privileges which are in Danger at preſent. King *James* has promiſed to Protect and Defend the Church of *England*; he has given his Royal Word to Conſent to ſuch Laws which you your ſelves ſhall think neceſſary to be made for its Preſervation; and his Majeſty is a Prince of that Juſtice, Virtue and Honour, that you have no manner of Reaſon to doubt the performance of his Royal Promiſe He ſtudies nothing ſo much as how to make you all Eaſie and Happy; and whenever he comes to his Kingdom I doubt not but you will be ſo.

I ſhall be heartily glad good People, if what I have ſaid has any effect upon you, ſo as to be inſtrumental in making you perform your Duty; it is out of my Power now to do any thing more to ſerve the King, than by imploying ſome of the few Minutes I have to live in this World, in praying to Almighty God to ſhower down his Bleſſings Spiritual and Temporal upon his Head, to Protect him and Reſtore him, to be Favourable to his Undertaking, to Proſper him here, and to Reward him hereafter. I beſeech the ſame Infinite Goodneſs, to preſerve and defend the Church of *England*, and to Reſtore it to all its juſt Rights and Privileges: And laſtly, I pray God have Mercy upon me, Pardon my Sins, and Receive my Soul into his Everlaſting Kingdom, That with the Patriarchs, Prophets, Apoſtles and Martyrs, I may Praiſe and Magnify him for ever and ever. *Amen.*

As to my Body Brethren, I have taken no manner of Care of it; for I value not the Barbarous part of the Sentence, of being Cut down and Quarter'd, when I am once gone I ſhall be out of the reach of my Enemies, and I wiſh I had Quarters enough to ſend to every Pariſh of the Kingdom, to teſtify that a Clergy-man of the Church of *England* was Martyred for being Loyal to his King.

*July* 13. 1716. *Will. Paul.*

# THE SPEECH OF *JOHN HALL*, Eſqüire:

FRiends, Brethren, and Countrymen, I am come here to die for the ſake of God, my King, and my Country, and I heartily rejoice that I am counted worthy of ſo great an Honour; for let not any of you think that I am come to a ſhameful and ignominious End, the Truth and Juſtice of the Cauſe for which I Suffer, makes my Death a Duty, a Virtue, and an Honour: Remember that I lay down my Life for aſſerting the Right of my own Lawful Sovereign King *James* the Third; that I offer my ſelf as a Victim for the Liberties and Happineſs of my dear Country and my beloved fellow Subjects; that I fall a Sacrifice to Tyranny, Oppreſſion, and Uſurpation; in ſhort, conſider that I Suffer in Defence of the Commands of God, and the Laws and Hereditary Conſtitution of the Land, and then know, and be aſſured, that I am not a Traytor but a Martyr.

I declare that I die a true and ſincere Member of the Church of *England*, but not of the Revolution Schiſmatical Church, whoſe Biſhops have ſo Rebelliouſly abandoned the King, and ſo Shamefully given up the Rights of the Church, by ſubmitting to the Unlawful Invalid Lay Deprivations of the Prince of *Orange*. The Communion I die in, is that of the true Catholick Non-juring Church of *England*, and I pray God to Proſper and Increaſe it, and to grant, if it be his good Pleaſure, that it may Riſe again and Flouriſh.

I heartily beg Pardon of all whom I have in any Manner, and at any Time, Injured and Offended; I do particularly implore Forgiveneſs of God and my King, for having ſo far ſwerv'd from my Duty as to comply with the Uſurpation, in ſwearing Allegiance to it, and acting in Publick Poſts by the Uſurpers Commiſſions, which were void of all Power and Authority. God knows my Heart I did this at firſt thro' Ignorance and Error; but after I had recollected my ſelf, and

inform'd my Judgment better, I repented and drew my Sword for the King, and now ſubmit my ſelf to this violent Death for his ſake. I heartily pray God, my Penitence and my Sufferings may attone for my former Crimes; and this I beg, through the Merits, Mediation, and Sufferings of my deareſt Saviour Chriſt Jeſus.

I do ſincerely forgive all my Enemies, eſpecially thoſe who have either caus'd or increas'd the Diſtructions in Church or State; I pray God have Mercy upon them and Spare them, becauſe they are the Work of his own Hands, and becauſe they are Redeem'd with his Son's moſt precious Blood. I do particularly forgive from the Bottom of my Heart the Elector of *Brunſwick* who Murthers me, my unjuſt pretended Judges and Jury who Convicted and Condemned me, Mr. *Patten*, and Mr. *Carnaby*, Evidences who ſwore againſt me at my Tryal; and I do here declare upon the Words of a dying Man (and all my *Northumberland* fellow Priſoners can teſtify the ſame) that the Evidence they gave was ſo far from being the Truth, the whole Truth, and nothing but the Truth, that in Relation to my Indictment, they ſwore not one true Thing againſt me, but many abſolute Falſhoods. I pray God forgive them, for I am ſure I do.

Laſtly, I forgive all who had any Hand in the Surrender at *Preſton*, for they have ſurrender'd away my Life, and I would to God that were the only bad Conſequence of it; but alas, it is too plain, that the Surrenderers not only Ruin'd many of his Majeſty's brave and faithful Subjects, but gave up their King and Country into the Bargain; for it was then in their Power to have reſtor'd the King with Tryumph to his Throne, and thereby to have made us a happy People. We had Repuls'd our Enemies at every Attack, and were ready, willing, and able to have Attack'd them on our Side; even our Common Men, were Brave, Couragious, and Reſolute; on the other Hand, their's were directly the contrary, inſomuch that after they had run away from our firſt Fire, they could never be brought ſo much as to endeavour to ſtand a ſecond. This I think my ſelf oblig'd in Juſtice to mention, that Mr. *Will*'s may not impoſe upon the World as if he and his Troops had Conquer'd us, and gain'd the Victory; for the Truth is, after we had Conquer'd them, our Superiors thought fit to Capitulate and Ruine us. I wiſh them God's and the King's Pardon for it.

May it pleaſe the Almighty to Bleſs, Preſerve, and Reſtore our only Rightful and Lawful Sovereign King *James* the Third; may He direct His Councils and proſper His Arms; may He bring Him to His Kingdom, and ſet the Crown upon His Head; may He protect Him from the Malice of His Enemies,

mies, and defend Him from thoſe who, for a Reward, would Slay Him Innocent; may He grant Him in Health and Wealth long to Live; may He ſtrengthen Him, that He may Vanquiſh and Overcome all His Enemies; and finally, when it pleaſes His Infinite Wiſdom to take Him out of this World, may He take Him to Himſelf, and Reward Him with an Everlaſting Crown of Glory in the next.

These, my Beloved Country men, are the ſincere Prayers; theſe the laſt Words of me who am now a dying Perſon: And if you have any Regard to the laſt Breath of one who is juſt going out of the World, let me Beg of you to be Dutiful, Obedient, and Loyal to your only Sovereign Liege Lord King *James* the Third, be ever ready to ſerve him, and be ſure you never fail to uſe all your Endeavours to Reſtore him, and whatever the Conſequence be, remember that you have a good Cauſe and a gracious God, and expect a Recompence from him.

To that God, the God of Truth and Holineſs, the Rewarder of all who ſuffer for Righteouſneſs Sake, I commend my Soul, beſeeching him to have Mercy upon it for the Sake of my dear Redeemer and Merciful Saviour Jeſus Chriſt our Lord, *Amen*, *Amen*, *Amen*.

*JULY* 13. 1716.

*John Hall.*

## *POSTSCRIPT.*

I Might reaſonably have expected my Life would have been Saved, ſince I had obtain'd Five Reprieves, but I find that the Duke of *Hanover*, and his Evil Counſellors who Guide him, have ſo little Virtue and Honour themſelves, that they are Reſolved not to Spare my Life, becauſe I would not purchaſe it upon Baſe and Diſhonourable Terms. I have Reaſon to think, that at firſt I could have ſecur'd both Life and Fortune if I would have Pleaded Guilty; and I doubt not but I might ſince have obtain'd Favour, if I would have Petition'd in a Vile and Scandalous Manner; but I was reſolv'd to do nothing whereby I ſhould have diſown'd my King, and denied my Principles; and I thank my good God, both for Inſpiring me with his Holy Reſolution, and for giving me the Grace to perform it.

*JULY* 13. 1716.

*John Hall.*